

HOUSE OF REPRESENTATIVES—Wednesday, June 17, 1992

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. MONTGOMERY].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 17, 1992.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

PRAYER

The Reverend Mary Cushman, associate rector, Christ Episcopal Church, Alexandria, VA, offered the following prayer:

Let us pray:

O God of many names, lover of all nations and peoples, we give thanks to You today for the new spirit of friendship and reconciliation which prevails between our own country and Russia.

We pray that You would make us deeply conscious of our kindred hope; That where there was discord, we might now find harmony;

Where there was darkness, we might now find light;

Where there was despair, we might now find gladness;

Where there was hatred, we might now find love.

Give to us each, O God, Your heart of trust, grant that our wills may be so knit together in Your will, and our spirits in Your spirit, that we might know ourselves as brothers and sisters of one planet, one promise, bound together in one abiding peace, this day and evermore. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The gentleman from Nebraska [Mr. BARRETT] will lead the House in the Pledge of Allegiance.

Mr. BARRETT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to make an announcement.

After consultation with the majority and minority leaders and with their consent and approval, the Chair announces that during the joint meeting to hear an address by His Excellency Boris Yeltsin only the doors immediately opposite the Speaker and the doors on his right and left will be open. No one will be allowed on the floor of the House who does not have the privileges of the floor of the House.

Due to the large attendance which is anticipated, the Chair feels that the rule regarding the privileges of the floor must be strictly adhered to. Children of Members will not be permitted on the floor, and the cooperation of all Members is requested.

PERMISSION FOR COMMITTEE ON ENERGY AND COMMERCE TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. MARKEY. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be permitted to sit today, while the House is reading measures for amendment under the 5-minute rule, to consider the following legislation:

H.R. 4850, the Cable Television Consumer Protection and Competition Act of 1992;

H.R. 4706, the Child Safety Protection and Consumer Products Safety Commission Improvement Act; and

House Concurrent Resolution 246, expressing the sense of Congress with respect to the relation of trade agreements to health, safety, labor, and environmental laws of the United States.

Mr. Speaker, the minority has been consulted on this request and has expressed no objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, June 11, 1992, the House will stand

in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 6 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1100

JOINT MEETING OF THE HOUSE AND SENATE HELD TO HEAR AN ADDRESS BY THE PRESIDENT OF THE RUSSIAN FEDERATION, HIS EXCELLENCY, BORIS YELTSIN

The SPEAKER of the House presided.

The Doorkeeper, the Honorable James T. Molloy, announced the Vice President and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort the President of the Russian Federation into the Chamber:

The gentleman from Missouri [Mr. GEPHARDT];

The gentleman from Maryland [Mr. HOYER];

The gentleman from California [Mr. FAZIO];

The gentleman from Florida [Mr. FASCELL];

The gentleman from Illinois [Mr. MICHEL];

The gentleman from Georgia [Mr. GINGRICH];

The gentleman from California [Mr. LEWIS]; and

The gentleman from Michigan [Mr. BROOMFIELD].

The VICE PRESIDENT. The President of the Senate at the direction of that body appoints the following Senators as members of the committee on the part of the Senate to escort His Excellency Boris Yeltsin into the Chamber:

The Senator from Maine [Mr. MITCHELL];

The Senator from Arkansas [Mr. PRYOR];

The Senator from Rhode Island [Mr. PELL];

The Senator from Hawaii [Mr. INOUE];

The Senator from California [Mr. CRANSTON];

The Senator from Georgia [Mr. NUNN];

The Senator from Delaware [Mr. BIDEN];

The Senator from Maryland [Mr. SARBANES];

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

The Senator from New York [Mr. MOYNIHAN];

The Senator from Georgia [Mr. FOWLER];

The Senator from Kansas [Mr. DOLE];
The Senator from Wyoming [Mr. SIMPSON];

The Senator from Oklahoma [Mr. NICKLES];

The Senator from Mississippi [Mr. COCHRAN];

The Senator from Wisconsin [Mr. KASTEN];

The Senator from South Carolina [Mr. THURMOND];

The Senator from Indiana [Mr. LUGAR];

The Senator from South Dakota [Mr. PRESSLER];

The Senator from Alaska [Mr. MURKOWSKI];

The Senator from Florida [Mr. MACK]; and

The Senator from California [Mr. SEYMOUR].

The Doorkeeper announced the Ambassadors, Ministers, and *Chargés d'Affaires* of foreign governments.

The Ambassadors, Ministers, and *Chargés d'Affaires* of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 11 o'clock and 6 minutes a.m., the Doorkeeper announced the President of the Russian Federation.

The President of the Russian Federation, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. Members of the Congress, it is my great privilege and I deem it a high honor and personal pleasure to present to you His Excellency Boris Yeltsin, President of the Russian Federation.

[Applause, the Members rising.]

ADDRESS BY HIS EXCELLENCY, BORIS YELTSIN, PRESIDENT OF THE RUSSIAN FEDERATION, BEFORE THE JOINT MEETING OF THE UNITED STATES CONGRESS

(The following address was delivered in Russian and translated simultaneously in English.)

President YELTSIN. Please don't count the applause against the time that I have been allotted for speaking.

Mr. Speaker, Mr. President, Members of Congress, ladies and gentlemen, it is indeed a great honor for me to address the Congress of the great land of freedom as the first ever, in over 1,000

years of history of Russia, popularly elected President, as a citizen of a great country, which has made its choice in favor of liberty and democracy.

For many years our two nations were the two poles, the two opposites. They wanted to make us implacable enemies. That affected the destinies of the world in a most tragic way.

The world was shaken by the storms of confrontation. It was close to exploding, close to perishing beyond salvation.

That evil scenario is becoming a thing of the past. Reason begins to triumph over madness. We have left behind the period when America and Russia looked at each other through gun-sights, ready to pull the trigger at any time.

Despite what we saw in the well-known American film "The Day After," it can be said today, tomorrow will be a day of peace, a day less of fear, and more of hope for the happiness of our children.

The world can sigh in relief. The idol of communism, which spread everywhere social strife, animosity, and unparalleled brutality which instilled fear in humanity, has collapsed. It has collapsed, never to rise again.

I am here to assure you, we shall not let it rise again in our land.

I am proud that the people of Russia have found strength to shake off the crushing burden of the totalitarian system. I am proud that I am addressing you on behalf of the great people whose dignity is restored. I admire ordinary Russian men and women, who, in spite of severe trials, have preserved their intellectual integrity and are enduring tremendous hardships for the sake of the revival of their country.

Russia has made its final choice in favor of a civilized way of life, common sense, and universal human heritage. I am convinced that our people will reach that goal.

There is no people on this Earth who could be harmed by the air of freedom. There are no exceptions to that rule.

Liberty sets the mind free, fosters independence, and unorthodox thinking and ideas. But it does not offer instant prosperity or happiness and wealth to everyone.

This is something that politicians in particular must keep in mind. Even the most benevolent intentions will inevitably be abandoned and committed to oblivion if they are not translated into everyday efforts. Our experience of the recent years has conclusively borne that out.

Liberty will not be fooled. There can be no coexistence between democracy and a totalitarian state system. There can be no coexistence between market economy and power to control everything and everyone. There can be no coexistence between a civic society which is pluralist by definition and Communist intolerance to dissent.

The experience of the past decades has taught us, communism has no human face. Freedom and communism are incompatible.

You will recall August 1991, when for 3 days, Russia was under the dark cloud of dictatorship. I addressed the Muscovites who were defending the White House of Russia. I addressed all the people of Russia. I addressed them standing on top of the tank, whose crew had disobeyed criminal orders.

I will be candid with you—at that moment I feared, but I had no fear for myself. I feared for the future of democracy in Russia and throughout the world, because I was aware what could happen if we failed to win.

Citizens of Russia upheld their freedom and did not allow the continuation of the 75 years of nightmare.

From this high rostrum, I want to express our sincere thanks and gratitude to President Bush and to the American people for their invaluable moral support for the just cause of the people of Russia.

Last year citizens of Russia passed another difficult test of maturity. We chose to forgo vengeance and the intoxicating craving for summary justice over the fallen colossus known under the name of the CPSU.

There was no replay of history. The Communist Party Citadel next to the Kremlin, the "Communist Bastille," was not destroyed. There was not a hint of violence against Communists in Russia. People simply brushed off the venomous dust of the past and went about their business. There were no lynch law trials in Russia. The doings of the Communist Party over many years have been referred to the Constitutional Court of the Russian Federation. I am confident that its verdict will be fair.

Russia has seen for itself that any delay in strengthening the foundations of freedom and democracy can throw the society far back. For us, the ominous lesson of the past is relevant today as never before. It was precisely in a devastated country with an economy in near paralysis that bolshevism succeeded in building a totalitarian regime, creating a gigantic war machine and an insatiable military-industrial complex.

This must not be allowed to happen again. That is why economic and political reforms are the primary task for Russia today.

We are facing the challenges that no one has ever faced before at any one time. We must carry through unprecedented reforms in the economy that over the last seven decades has been stripped of all market infrastructure; lay the foundations for democracy and restore the rule of law in a country that for scores of years was poisoned with social strife and political oppression; and guarantee domestic, social, and political stability, as well as maintenance of civil peace.

We have no right to fail in this most difficult endeavor, for there will be no second try, as in sports. Our predecessors have used them all up. The reforms must succeed.

I am given strength by the support of the majority of the citizens of Russia. The people of Russia are aware that there is no alternative to reform, and that this is very important.

My job, as everybody else's in Russia, is not an easy one, but in everything I do I have the reliable and invaluable support of my wife and of my entire large family.

Today I am telling you what I tell you my fellow countrymen: I will not go back on the reforms, and it is practically impossible to topple Yeltsin in Russia. I am in good health and I will not say "Uncle" before I make the reforms irreversible.

We realize our great responsibility for the success of our changes, not only toward the people of Russia, but also toward the citizens of America and of the entire world. Today the freedom of America is being upheld in Russia. Should the reforms fail, it will cost hundreds of billions to offset that failure.

Yesterday we concluded an unprecedented agreement on cutting down strategic offensive arsenals. They will be reduced radically in two phases. Not by 30 or 40 percent as negotiated previously over 15 years. They will be slashed to less than one-third of today's strength, from 21,000 nuclear warheads on both sides down to 6,000 or 7,000 by the year 2000. And it has taken us only 5 months to negotiate. And I fervently hope that George Bush and myself will be there in the year 2000 to preside over that.

We have simply no right to miss this unique opportunity. All the more so that nuclear arms and the future of the Russian reforms are designed to make impossible any restoration of the totalitarian dictatorship in Russia are dramatically interrelated. I am here to say that we have the firm determination and the political will to move forward. We have proved that by what we have done. It is Russia that has put an end to the imperial policies and was the first to recognize the independence of the Baltic Republics.

Russia is a founding member of the Commonwealth of Independent States which has averted uncontrolled disintegration of the former empire and the threat of a general inter-ethnic blood bath.

Russia has granted tangible powers to its autonomous republics. Their Treaty of Federation has been signed and our Nation has escaped the fate of the Soviet Union. Russia has preserved its unity.

It was Russia that has substantially slowed down the flywheel of militarization and is doing all it can to stop it altogether.

I am formally announcing that without waiting for the treaty to be signed, we have begun taking off alert the heavy SS-18 missiles targeted on the United States of America, and the Defense Minister of Russia is here in this room to confirm that.

Russia has brought its policies toward a number of countries in line with its solemn declarations of the recent years. We have stopped arms deliveries to Afghanistan, where the senseless military adventure has taken thousands of Russians and hundreds of thousands of Afghan lives. With external props removed, the puppet regime collapsed.

We have corrected the well-known imbalances in relations with Cuba. At present that country is one of our Latin American partners. Our commerce with Cuba is based on universally accepted principles and world prices.

It is Russia that once and for all has done away with double standards in foreign policy. We are firmly resolved not to lie any more, either to our negotiating partners, or to the Russian, or American, or any other people. There will be no more lies, ever.

The same applies to biological weapon experiments and the facts that have been revealed about American prisoners of war, the KAL-007 flight, and many other things. That list could be continued.

The archives of the KGB and the Communist Party Central Committee are being opened. Moreover, we are inviting the cooperation of the United States and other nations to investigate these dark pages.

I promise you that each and every document in each and every archive will be examined in order to investigate the fate of every American unaccounted for. As President of Russia, I assure you that even if one American has been detained in my country and can still be found, I will find him. I will get him back to his family.

I thank you for the applause. I see everybody rise. Some of you who have just risen here to applaud me have also written in the press that until Yeltsin gets things done and gets all of the job done, there should be no Freedom Support Act passing through the Congress.

Well, I don't really quite understand you, ladies and gentlemen. This matter has been investigated and is being investigated. Yeltsin has already opened the archives and is inviting you to join us in investigating the fate of each and every unaccounted for American.

So now you are telling me, first do the job, and then we shall support you in passing that act. I don't quite understand you.

We have made tangible moves to make contacts between Russian and foreign business communities much easier. Under recent legislation, foreign nationals who privatize a facility

or a building in Russia are given property rights to the plot of land on which they are located.

Legislation on bankruptcy has been recently enacted.

Mandatory sale of foreign currency to the state at an artificially low rate of exchange has been ended. We are ready to bring our legal practice as much as possible in line with world standards, of course on the basis of symmetry with each country.

We are inviting the private sector of the United States to invest in the unique and untapped Russian market. And I am saying, do not be late.

Now that the period of global confrontation is behind us, I call upon you to take a fresh look at the current policy of the United States toward Russia and also to take a fresh look at the longer term prospects of our relations. Russia is a different country today. Sometimes the obsolete standards brought into being by a different era are artificially imposed on new realities. True, that equally applies to us. Let us together, therefore, master the art of reconciling our differences on the basis of partnership, which is the most efficient and democratic way. This would come naturally both for the Russians and the Americans.

If this is done, many of the problems which are now impeding mutually advantageous cooperation between Russia and the United States will become irrelevant. And I mean legislative frameworks, too.

It will not be a wasteful endeavor; on the contrary, it will promote a more efficient solution of your problems, as well as of ours, and, of course, it will create new jobs in Russia, as well as in the United States.

History is giving us a chance to fulfill President Wilson's dream; namely, to make the world safe for democracy.

More than 30 years ago, President Kennedy addressed these words to humanity: "My fellow citizens of the world, ask not what America can do for you, but what together we can do for the freedom of man."

I believe that his inspired call for working together toward a democratic world is addressed above all to our two peoples, to the people of America and to the people of Russia.

Partnership and friendship of our two largest democracies in strengthening democracy is indeed a great goal.

Joining the world community, we wish to preserve our identity, our own image and history, promote culture, and strengthen moral standards of our people.

We find relevant the warning of the great Russian philosopher Berdyaev, who said, "To negate Russia in the name of humankind is to rob the humankind."

At the same time, Russia does not aspire to change the world in its own image. It is the fundamental principle

of the new Russia to be generous and to share experience, moral values, and emotional warmth, rather than to impose and coerce.

It is the tradition of the Russian people to repay kindness with kindness. This is the bedrock of the Russian lifestyle, the underlying truths revealed by the great Russian culture.

Free and democratic Russia will remain committed to this tenet.

Today free and democratic Russia is extending its hand of friendship to the people of America. Acting on the will of the people of Russia, I am inviting you, and through you, the people of the United States, to join us in partnership in the quest for freedom and justice in the 21st century.

The Russian-American dialog has gone through many a dramatic moment, but the peoples of Russia and America have never gone to war against each other. Even in the darkest period, our affinity prevailed over our hatred.

In this context I would like to recall something that took place 50 years ago. The unprecedented world war was raging. Russia, which was bleeding white, and all our people were looking forward to the opening of the second front. And it was opened, first and foremost thanks to the active stand taken by President Roosevelt and by the entire American people.

Sometimes I think that if today, like during that war, a second, but peaceful front, could be opened to promote democratic market reforms, their success would be guaranteed earlier.

The passing by Congress of the Freedom Support Act could become the first step in that direction. Today, legislation promoting reforms is much more important than appropriations of funds. May I express the hope that the United States Congress, as the staunch advocate of freedom, will remain faithful to its strategic cause on this occasion as well.

Members of Congress, every man is a man of his own time. No exception is ever made for anyone, whether an ordinary citizen or the President. Much experience has been gained, many things have been reassessed.

I would like now to conclude my statement with the words from a song by Irving Berlin, an American of Russian descent: "God bless America," to which I will add, "and Russia."

[Applause, the Members rising.]

At 11 o'clock and 56 minutes a.m., the President of the Russian Federation, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet.

The Ambassadors, Ministers, and Chargés d'Affaires of foreign governments.

JOINT MEETING DISSOLVED

The SPEAKER. The Chair declares the joint meeting of the two Houses now dissolved.

Accordingly, at 11 o'clock and 58 minutes a.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

The SPEAKER. The House will continue in recess until 12:30.

□ 1230

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. MONTGOMERY] at 12 o'clock and 30 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mrs. SCHROEDER. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

THE 20TH ANNIVERSARY OF WATERGATE

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, today, June 17, is exactly 20 years after Watergate, which led to many changes in this country and in the world, really. Some of them are good, with regard to Congress. We have democratized the Congress. We have spread the action around. We do not have the hegemony that used to be the case with senior Members. On the other hand, it may have led also to the so-called congressional gridlock.

One thing which came in the wake of Watergate was the 1974 election reform bill which created political action committees. It has not been a good thing. Instead of having the 600 political action committees of the 1970's, we now have almost 4,500.

Ninety-seven percent of all the big money that the PAC's give is to incumbents. They have not balanced the playing field, as they said they would do.

I have a bill in which would eliminate political action committees. I think it is a good bill. I would urge my colleagues to join in this anniversary of the Watergate to try to use this moment in time to recreate this Congress and to recreate and restructure the American political system.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that he will take only ten 1-minutes on each side of the aisle.

REPUBLICAN HEALTH CARE REFORM

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, the American people have sent a clear message to the Congress that they want reform of the current health care system. Our citizens with health insurance are worried they will face escalating premiums they can't pay, and millions face the future with no health insurance at all.

What has the Democrat leadership done? Absolutely nothing.

Instead, the Democrats fiddle away while the hopes of millions of Americans go up in smoke.

Mr. Speaker, if the Democrats cannot come up with a proposal that will solve the problem of access to health care, they should stop wasting time and permit the Republican health care proposal to come to the floor. Within days, this House could pass legislation that would provide a solution for all Americans.

A majority of the Republican conference, and I am pleased to count myself among them, have united behind a plan. The Republican proposal will cure flaws in the current system, increase access, and restrain costs, while still enhancing freedom of choice, quality, and availability of care. The plan pays for itself and doesn't create a new Federal bureaucracy.

As the minority party, Republicans don't have the power to bring legislation to the floor. Only the majority party has that power. Use your power, Mr. Speaker, and solve the health care crisis today. Schedule a vote on the Republican health care reform plan.

INTERNATIONAL DOLPHIN CONSERVATION ACT OF 1992

(Mr. STUDDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUDDS. Mr. Speaker, today I am introducing the International Dolphin Conservation Act of 1992—legislation that will finally resolve the 20-year-old controversy over dolphins being killed by tuna fishermen in the eastern tropical Pacific Ocean.

Since the enactment of the Marine Mammal Protection Act in 1972 [MMPA], we have worked to eliminate the intentional killing of dolphins in tuna nets. From the beginning, we concentrated our efforts on cleaning up

our own fishery. Unfortunately, while U.S. tuna fishermen continued to minimize dolphin mortality, foreign fishermen slaughtered tens of thousands of dolphins each year.

In 1988, we strengthened the MMPA by authorizing the embargo of tuna from countries that did not have dolphin saving programs comparable to ours and we approved the use of a dolphin-safe label, so consumers could decide whether or not to purchase tuna that was caught without killing dolphins in the process.

The results of those amendments have been remarkable. The American consumers spoke with their pocketbooks by purchasing dolphin-safe tuna. The U.S. tuna canning industry responded by declaring that they would only sell dolphin-safe tuna. And the embargoes that went into effect have given our negotiators the leverage to convince others to stop the slaughter.

The legislation I am introducing provides for an international 5-year moratorium on the practice of intentionally setting on dolphins, institutes an international research program, and assures U.S. tuna fishermen access to productive fishing grounds in the South Pacific. The administration has already received initial commitments from Mexico and Venezuela in support of the moratorium. This action alone will save over 55,000 dolphins in the next 5 years.

From the beginning, those of us who have fought so hard and so long to stop the slaughter of dolphins—like BARBARA BOXER and PORTER GOSS—realized that it could only be done through an international agreement. The International Dolphin Conservation Act will provide for such an agreement. The bill is supported by the administration, the environmental community, and by millions of Americans who want dolphins protected.

Almost 2,000 years ago Plutarch wrote:

To the dolphin alone nature has given that which philosophers seek: friendship for no advantage. Though it has no need for help of any man, yet it is a genial friend to all, and has helped man.

Today—2,000 years later—Plutarch's words still ring true for the millions of Americans who support the International Dolphin Conservation Act.

CASPAR WEINBERGER'S INDICTMENT

Mr. LIVINGSTON. Mr. Speaker, today Boris Yeltsin formally pronounced the evil empire dead and buried. Yesterday one of the principal architects of its collapse was indicted for alleged crimes stemming from the Iran-Contra investigation. Iran-Contra being a policy he, Cap Weinberger, vigorously opposed and a policy which is the product of the imagination of an overzealous criminal prosecutor gone wild.

To the news of that indictment, I say shame on those whose have misused their office to press forward with an investigation and charges which have wasted 40 million taxpayer dollars for very poor and little purpose.

I say, end this farce. Close down the office of the inquisitor special counsel and pull the plug on Walsh.

RUSSIAN AID

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, today Boris Yeltsin pledged freedom. Yeltsin's speech offers hope for the entire world. Congress is euphoric. So euphoric that Congress is ready to significantly reduce our nuclear arsenal and also give Russia \$12 billion.

Now, I do disagree with that. Yeltsin is without a doubt a great man, but before Congress reduces our military advantage or writes a \$12 billion check, I just want to caution Congress that all those hard-line KGB guys did not just find religion overnight.

If Yeltsin's experiment fails, the Russian military will be making the future speeches. We have got an awful lot of problems in this country. Mr. Yeltsin and Russia can work on their own marketplace without American dollars. We have got Americans pounding the streets as well.

THE CROWNING MOMENT

(Mr. MCEWEN asked and was given permission to address the House for 1 minute.)

Mr. MCEWEN. Mr. Speaker, this is undoubtedly a very special moment in the history of the world. Allow me just to reiterate a couple of the statements made by the President of the Russian Republic where he said just moments ago, "The idol of communism which spread social strife, enmity, and unparalleled brutality everywhere, which instilled fear in humanity has collapsed. It has collapsed never to rise again. I am here to assure you, we shall not let it rise again in our land."

Liberty, as we think of the peaceful coexistent efforts of the 1950's, the President of Russia said this morning, "Liberty will not be fooled. There is no coexistence between democracy and a totalitarian state. There is no coexistence between a free market economy and the power to control everything and everyone. There is no coexistence between a civil society, which is pluralist by definition, and Communist intolerance to dissent. The experience of the past decade has taught us, communism has no human face. Freedom and communism are incompatible."

Mr. Speaker, the American people have paid a great price to bring us to this moment. As we rejoice and cele-

brate, let us say that this is the crowning moment. This is the capstone. This is the memory that shall be given to Cap Weinberger and to Ronald Reagan for doing what was right for freedom, what was right for America.

And when we say, Gold bless America, on this day, I add, Gold bless Cap Weinberger.

FAMILY LEAVE

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, as I continue my countdown to Father's Day, the Governor of New York has been trying to get the Vice President into a basketball game. I am just trying to get him into some legislative action, some legislative action on family legislation that has been waiting here for the administration to focus on it for 3 years.

We all listened to President Bush, and he promised that he would sign family leave. Family leave gives job-protected leave to men and women upon the birth or adoption of a baby or upon catastrophic illness.

Unfortunately, we believed the President. We passed that. He vetoed it. But we now have passed it but through both the Senate and the House again, and we are waiting to send it to the President, but we would sure like a signal from the Vice President or someone that they would be willing to sign it this time or at least talk to us about it so we could iron out any wrinkles they might have.

I am getting tired of family values speeches and no action. How very sad.

If we want to have a real Father's Day, let us have some real family legislation that would make life easier for parents in this country.

YELTSIN VISIT POINTS UP NEED FOR ECONOMIC REFORM IN BOTH RUSSIA AND THE UNITED STATES

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, I join with my colleagues in welcoming Russian President Boris Yeltsin to the United States. He is in no small part responsible for the remarkable changes that have taken place in the former Soviet Union and neighboring eastern European nations.

We all wish him well as he continues to transform his country, but this is a year of difficult choices. Just as President Yeltsin is looking inward to make reform, the United States, too, must put its house in order. In the end, the United States cannot afford to play so generous an international role unless

we tend to our own people, our own economy, and our economic future. But the President offers no short- or long-term economic program.

He threatens to veto the unemployment bill one more time.

He has no plans to get health care costs under control. Yet he wants to fund reform in Eastern Europe.

He vetoed middle-class tax relief, he threatened to veto urban aid and he has not adequately addressed the issue of student financial aid.

Mr. Speaker, I say, with regret, if we cannot afford to rebuild America, we cannot afford to rebuild Russia. We need a domestic agenda. Our Nation's families depend on it.

A DUAL TRACK: AMERICA'S SUPPORT FOR RUSSIA, RUSSIA'S SEARCH FOR MIA'S

(Mr. DORNAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN. Mr. Speaker, this is an excellent day to wear your combat infantry badge and for me to wear my peacetime fighter pilot wings. This was truly a day in history. I began by listening to the news media about the 20th anniversary of Watergate, and I wanted to think about the anniversary of Bunker Hill, when Colonel Prescott said, "Wait until you see the whites of their eyes." Now this day, the 17th of June, goes down in history as one of those benchmarks where we really can clearly see the end of the cold war, at least as it has involved the head of the Soviet Union. Mr. Boris Yeltsin got eye contact with me twice today in a room filled with almost 600 people. This was no little ego trip on my part. Twice I went like this to him, and he continued my symbol, and on the way out gave me an extra special big smile, because I took personally what he said up there on what I call that high rostrum:

I do not understand you. I am asking for your help, and you are applauding me for the POW search that I want to begin, but then you are saying that that has to bring everything else to a halt.

I stand corrected, Mr. Yeltsin. I was one of those yesterday that made a very impassioned speech here, maybe my most impassioned speech ever, about moving forward on this POW accounting, and I am willing to go with him on what I think he was indicating is a dual track; we help him, and he keeps on a fast track the accounting of what happened to our missing in action.

He spoke of KGB files, Communist Party-Soviet Union files. I am willing to go over there at a moment's notice, with or without our President's blessing, and I think George Bush would give me his blessing to go to try and bring an end to something that has agonized me and most Americans for

almost half a century, our missing from World II, Korea, and yes, out of Mr. Yeltsin's own mouth, Vietnam itself.

This was a great day in history in this Chamber.

LEGISLATIVE PROGRAM

(Mr. GEPHARDT asked and was given permission to address the House for 1 minute.)

Mr. GEPHARDT. Mr. Speaker, I take this time to announce the schedule for the rest of the day and for the rest of the week, and to put Members on notice that today we will be taking up the energy and water bill, and we will be under the 5-minute rule. I would simply put Members on notice that we are likely to go to 7 or 8 p.m. this evening to try to finish that bill. We do hope to finish that bill this evening.

On tomorrow we will be considering the Hamilton-Gradison reform legislation. We have possible consideration of the supplemental appropriations bill, and there may be some other bills to be determined. I would assume that we would likely be in until 7 or even 8 o'clock tomorrow evening.

I would like to inform Members there will not be votes on Friday, but there will be votes on Monday, and Members will be advised of which bills will actually be taken up on tomorrow. We will give Members full notice of exactly how many votes or nearly how many votes, and what bills will be taken up on Monday. Obviously, the reason for Monday votes is to accelerate the schedule on the appropriation bills, so we can stay on schedule this year.

Mr. MCEWEN. Mr. Speaker, will the gentleman yield?

Mr. GEPHARDT. I yield to the gentleman from Ohio.

Mr. MCEWEN. Mr. Speaker, I would ask the gentleman, does he anticipate delaying any votes on Monday, or can we expect at what time we must be here?

Mr. GEPHARDT. We will give Members full notice of when to expect votes on tomorrow. We will try to hold back as much as we can in terms of the timing of the voting, but we will give the Members a specific estimate on that tomorrow.

Mr. MCEWEN. Mr. Speaker, if the gentleman will yield further, does he have any estimate about next Friday?

Mr. GEPHARDT. At this time we are expecting that there will be votes on Friday, as well as Monday. Again, I would say to Members that we are trying to expedite the appropriations schedule. We also have an enterprise zone bill that will be coming forward in the last week that could take a day or two to consider.

We also have been trying to have the ability to finish the unemployment compensation conference report, so we have a lot of business to finish before the break for the Fourth of July.

Mr. MCEWEN. I thank the distinguished majority leader.

HABITAT FOR HUMANITY'S JIMMY CARTER WORK PROJECT SITE

(Mr. ROEMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROEMER. Mr. Speaker, earlier this week I was one of over 600 people that met to hammer out solutions to our low-income housing needs in this country that have been cut by over 90 percent in the last 12 years.

We met, not in a fancy conference room, but in a nearly completed living room on the site of 1 of 10 homes that we were building for our low-income residents in Southeast Washington, DC. This was part of the Habitat for Humanity's Jimmy Carter Work Project site.

Not only are these sites going up in Washington, DC, but across the country, and I am proud that my constituents, Leroy Troyer and Art and Carolyn Mosier, were part of those efforts in Washington.

I am proud of the partnership that comes together between the homebuilders, the Habitat, and hundreds of volunteers in our communities. I am also excited that the 15,000th home will be built in Evansville, IN, my home State.

We need these new partnerships, Mr. Speaker. We need new ideas. I am proud to join in these efforts throughout this country.

COULD THE UNITED STATES DEFEND ITSELF?

(Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, as we enter the debate on the downsizing of the American military we should carefully consider whether or not the American taxpayers will actually own anything that may be left of the U.S. military industrial base. The pending sale of General Motors' Allison Transmission Division and Allison Gas Turbine Division will leave the U.S. military depending on foreign sources for tank transmissions and helicopter turbines.

More importantly, the American taxpayers have paid for this defense technology with hard-earned tax dollars. Now a German-owned company will be making most of the United States military's transmissions if the sale goes through to Zahnradfabrik Friedrichshafen [ZF]. Another United States defense firm, LTV, is on the block to France's Thomson-CSF, which is 60-percent owned by the French Government. Janes Defense Weekly reports that a Defense Department memoran-

dum indicates "that Army and Pentagon officials have advised that some classified work under LTV might be canceled if the Thomson deal is approved." Now the United States is in the position of depending on foreign companies and governments for weapons and parts. That is a poor solution for the American people, not only because they are losing their investment and technology but also the jobs.

Let us put a stop to it now.

□ 1250

A PLAN TO BALANCE THE BUDGET

(Mr. APPELLEGATE asked and was given permission to address the House for 1 minute.)

Mr. APPELLEGATE. Mr. Speaker, last week the Congress of the United States turned down a balanced budget amendment to the Constitution. Everybody agrees what we have to do, and we do have to balance the budget. We have to have the guts before we are going to be able to do that. We have to put our money where our mouth is.

One of the things that we need is new revenue. I am not talking about new taxes. I am talking about new jobs. And based on the simple premise that no job, no income, no income tax, no balanced budget.

Here is my plan, and I think we ought to do it, and I am going to introduce it as a resolution:

We have to change our trade policy in this country to enhance America's position in the world market. We have to help American industries through tax incentives, cut foreign aid, tax foreign corporations doing business in this country, cut the waste and the fat out of Government, stop selling America to the foreign countries and cut defense even further. And last, but not least is make the deadbeats and the cheaters pay back the loans and pay back the back taxes that they have taken from the American taxpayer.

Now that is a plan, and I think that if we really want to do something about balancing the budget without cutting all of the programs and adding new taxes on, this is the way to do it.

WAIVING CERTAIN POINTS OF ORDER DURING CONSIDERATION OF H.R. 5373, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1993

Mr. FROST. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 485 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 485

Resolved, That during consideration of the bill (H.R. 5373) making appropriations for energy and water development for the fiscal year ending September 30, 1993, and for other

purposes, all points of order against the following provisions in the bill for failure to comply with clause 2 of rule XXI are waived: beginning on page 2, line 11, through page 18, line 16; beginning on page 19, line 5, through line 22; beginning on page 20, line 9, through page 25, line 8; beginning on page 26, line 1, through line 16; beginning on page 26, line 23, through page 50, line 3; beginning on page 51, line 3, through page 54, line 3; and beginning on page 55, line 14, through page 57, line 18; and all points of order against the following provisions in the bill for failure to comply with clause 6 of rule XXI are waived: beginning on page 2, line 11, through page 15, line 6; beginning on page 21, line 1, through page 23, line 20; beginning on page 26, line 23, through page 27, line 9; beginning on page 32, line 16, through page 33, line 7; beginning on page 34, line 8, through page 35, line 15; beginning on page 45, line 1, through line 20; beginning on page 46, line 18, through page 48, line 6; and beginning on page 51, line 3, through page 54, line 11. All points of order against amendments printed in the report of the Committee on Rules accompanying this resolution for failure to comply with clause 2 of rule XXI are waived. The amendment specified in the report to be offered by Representative Brown of California or his designee shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment. No other amendment to the paragraph under the heading "General Science and Research Activities" shall be in order until the amendment specified in the report to be offered by Representative Brown of California or his designee has been disposed of.

The SPEAKER pro tempore (Mr. MONTGOMERY). The gentleman from Texas [Mr. FROST] is recognized for 1 hour.

Mr. FROST. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from Ohio [Mr. McEWEN] pending which I yield myself such time as I may consume. During consideration of House Resolution 485, all time yielded is yielded for the purposes of debate only.

Mr. Speaker, House Resolution 485, waives clause 2 and clause 6 of rule XXI against specified provisions in H.R. 5373, the energy and water development appropriations for fiscal year 1993. Clause 2 of rule XXI prohibits the consideration of unauthorized appropriations or legislative provisions in a general appropriations bill; clause 6 of rule XXI prohibits the consideration of provisions which contain reappropriations of unexpended balances.

In addition, Mr. Speaker, the rule waives clause 2 of rule XXI against the amendments printed in the report accompanying this rule. While amendments which seek to change dollar amounts contained in the bill recommended by the Committee on Appropriations are in order during the consideration of H.R. 5373, the waiver provided for in House Resolution 485 will permit the consideration of amendments which are legislative in nature.

Among those amendments is an amendment which will be offered by

the gentleman from California [Mr. BROWN], the chairman of the Committee on Space, Science, and Technology. The Brown amendment seeks to impose deadlines for foreign participation in the superconducting super collider [SSC] project in order for funding to be continued. The rule provides that the Brown amendment, when offered by Mr. BROWN or his designee, shall be debatable for 30 minutes which shall be equally divided and controlled by the proponent and an opponent and is not subject to amendment. Mr. Speaker, House Resolution 485 also provides that no other amendment to the paragraph of H.R. 5373 under the heading of "General Science and Research Activities" shall be in order until the Brown amendment has been disposed of.

The Committee on Rules has recommended this provision in order that debate on the superconducting super collider might be considered by the House in an orderly fashion. As I stated, any amendment to change dollar amounts recommended in the bill are in order during consideration of the bill for amendment; opponents of the SSC have indicated their intention to offer an amendment to zero fund the project. The Brown amendment, under the procedure recommended by the Committee on Rules, will be considered prior to a zero funding amendment and will offer the House the opportunity to place serious constraints on the future of the project if no substantive foreign participation is forthcoming in the next year. Mr. Speaker, I believe this procedure fairly frames the issues surrounding the future of this most important scientific project and I recommend it to my colleagues.

Mr. Speaker, the House will decide today if this project is to go forward. I think we should all be very clear about what the SSC means for the United States. The SSC is a symbol of our Nation's commitment to scientific leadership in this century and in the next. It is an investment in the future: the SSC will enhance our Nation's competitiveness by yielding exciting discoveries and technological innovations. And, the SSC will serve as a training ground for the next generation of scientists, engineers, and physicists; men and women who will lead the way in helping to improve our quality of life through advances in science and medicine.

Mr. Speaker, just a few minutes ago, this House met with the Senate to hear the words of the President of the Russian Federation, Boris Yeltsin. President Yeltsin called upon the United States to seize upon this unique moment in history to assure the advancement of freedom, justice, and democracy. He called upon the United States to invest in the future of all mankind. Without sounding too grandiose, Mr. Speaker, I believe the House can make just such a choice today. Even in these

times when serious fiscal restraints require prudent spending decisions, the SSC represents the best kind of investment we can make in the future of the United States. I urge my colleagues to support the SSC and help to assure our just position as a leader in science, research, and technology.

In addition to the Brown amendment, the Rules Committee has recommended a waiver of clause 2, rule XXI for an amendment to be offered by the gentleman from New York, Mr. SCHUMER. The Schumer amendment, which has been adopted by the House as part of the Department of Defense authorization, earmark's full funding for the Department of Energy's Reduced Enrichment Research Test Reactor Program. Because the DOD authorization has not yet been enacted into law, the waiver of clause 2, rule XXI against the consideration of the Schumer amendment is necessary and thus has been recommended by the Committee on Rules.

Mr. Speaker, H.R. 5373 provides for no new engineering, design, or construction starts for energy or water projects in fiscal year 1993. The bill recommends \$40 million less than what was appropriated for energy and water projects in fiscal year 1992 and \$630 million less than recommended by the President. Mr. Speaker, the Appropriations Committee has acted in a prudent and fiscally responsible manner in recommending this bill to the House, and I urge my colleagues to support House Resolution 485 so that we may proceed to the consideration of H.R. 5373.

□ 1300

Mr. Speaker, I reserve the balance of my time.

Mr. McEWEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today's rule, as described by my friend, the gentleman from Texas [Mr. FROST], marks the beginning of the appropriation season.

The Committee on Appropriations and the Subcommittee on Energy and Water in particular have done an especially commendable job on this measure. They have appropriated \$21.8 billion, exactly the amount granted in the 602(b) allocation under the budget resolution, and \$43.9 million less than last year.

Beyond that, this rule may allow further reductions in the total appropriations in this bill since, in general, amendments will be allowed under this rule that further reduce spending.

We are certain to have a healthy debate on the funding levels for the superconducting super collider, as mentioned by the gentleman from Texas. While I believe that most support the committee funding on this provision, it is healthy always to have a full debate on measures that impact significant sums of taxpayers' funds.

Mr. Speaker, I need to take just a moment to thank the committee for

including some vital funding for one of the Nation's most important energy programs, the atomic vapor laser isotope separation process known as AVLIS.

The bill's \$1.3 billion appropriation for uranium enrichment program operating expenses would be more than offset by revenues from the sale of enrichment services to nuclear powerplant customers. These revenues are expected to total \$1.5 billion in fiscal year 1993, thus the net appropriation for the program is actually negative; in other words, the Government of the United States and the people will make money on this program.

Within the total appropriation, the bill provides \$1.1 billion for operation and support of the Energy Department's gaseous diffusion enrichment plants of which there are two, and \$70 million for work on a new enrichment technology, the atomic vapor laser isotope separation currently under development by the Energy Department. The AVLIS earmark is \$30 million less than sought by the administration, less than half the amount provided in fiscal 1992.

The committee notes that the funding in the bill will permit the Department to complete the AVLIS demonstration program and document that program's results pending a decision on deployment of that technology.

Mr. Speaker, now, as you recall in the National Energy Strategy Act which was approved by the House just last week, we authorized a Government corporation to raise the capital necessary to invest in AVLIS, the next generation of uranium enrichment so vital to energy and national security programs. This appropriation bill includes \$70 million toward operating expenses for AVLIS technology and is therefore essential.

Now, while southern Ohio has a particular interest given that the Portsmouth uranium enrichment plant is a prime contender for the future jobs that AVLIS will provide our Nation, I want to say unequivocally that it is in the Nation's clear interest to move ahead on this technology. The Committee on Appropriations should be commended for moving toward that end.

Mr. Speaker, the legislative process can be trying for the minority, especially, when we see unauthorized appropriations being made, and as we see major policy issues being addressed on spending measures. For example, in the particular bill that will come before us momentarily, we have a provision to ban nuclear testing. Now, this has been a topic of great debate and something which some people expected the President of Russia to discuss in his speech here today. It is of international significance.

Clearly, a major policy issue such as this should not interfere in the appropriations process. The ranking Repub-

lican on the Committee on Appropriations, the gentleman from Pennsylvania [Mr. McDADE], pointed out in a letter to the Committee on Rules, and I quote, "This is a major policy issue that, in my opinion, should not be included in an otherwise fair and responsible appropriations measure. The 1993 Defense authorization bill recently passed by the House includes a ban on nuclear weapons testing. I believe that debate on this issue should remain within the authorization process."

So let me explain that the authorization process from the Committee on Armed Services is the place in which we debate these policy issues. To say that we will cut off funding for particular policy issues through the appropriations process is an aberration of the rules of the House. Therefore, this rule had to permit a special exemption.

I believe it was wrong, and it should not have been done, and I wish to call it to the attention of my colleagues.

Mr. Speaker, this is basically a fair and responsible rule, however. But that does not mean that nuclear testing policies should be allowed into the appropriations process, let me underscore. An unnecessary confrontation may well result in impeding the process of this vital bill which includes crucial funding for the Department of Energy, the Bureau of Reclamation, and the Corps of Engineers if we pursue this course.

While I cannot wholeheartedly endorse the bending of rules to protect the rights of the minority party and integrity of the legislative process, the rest of this rule is basically fair and reasonable and deserves consideration. I look forward to the debate and ultimate approval of the measure.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, for purposes of debate only, I yield 4 minutes to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Speaker, I support the rule, and I am going to support the bill.

I support the superconducting super collider. Today there will be amendments to cut it.

I just want to mention to the Congress that just yesterday a ship driven by a new technology was launched on the waters of this planet. It takes us back to conjure up the famous and the infamous silent submarine in Tom Clancy's novel "Run Silent, Run Deep," whatever they call it, "Red October." The bottom line is Clancy's ship was powered by electricity. This new silent ship is powered by MHD [magnetohydrodynamics] an end result and end product of superconductor technology. It is not a Russian submarine. It is called *Yamato*, *Yamato I*, a Japanese ship.

Now, what is amazing is it should be called *Yamato II*, because the original

Yamato was a giant Japanese battleship in World War II.

So when we are talking today about cutting certain types of technology that America has finally come to grips with, Japan is not only moving in that direction, they are applying those technologies to actual products and projects.

There is an old saying that those in history who failed to understand their own history, or learn from it, may experience it once again. I think it is time today for Congress to stop this debate and quibble over the superconducting super collider.

The Members of the Congress should come forward and, let me say this, that is money that is being invested in America, and every Member of this House was trying to get that project in their State. I am on the committee, and I would have loved to have seen it in Ohio. We certainly needed the jobs, but it did not go to Ohio. The project went to Texas.

I am for that project in Texas. Congressmen and Congresswomen should not be hypocritical. That is a good project.

The State of Texas came up with a good program. It is good for our country, and we had better wise up, because there is now MHD, silent ships, a reactivation of the Japanese military, and we are over here dismantling our nuclear arsenal, maybe, and holding back on superconductor technology.

I think that says it all.

Today Congress should once and for all beat down those amendments and take America into the future. We will not be competing with guns. We will be competing with technology that will be found as an end result of the superconducting super collider.

□ 1310

Mr. MCEWEN. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Speaker, regrettably, I rise in opposition to the rule. The rule is not fair to me. It is not fair to the American taxpayer, and let me tell you why. It is because I appeared before the Rules Committee and made a request, a request similar to the one made by the chairman of the Committee on Science, Space, and Technology, upon which I serve and endorsed by the ranking Republican. They asked for a waiver so that conditions could be imposed on pursuing the superconducting super collider. I asked for that same privilege.

Now, I am a big boy and I understand the situation. I know how this institution works. As a courtesy to a veteran member of the Rules Committee from Texas, who has an understanding special interest in this, the committee granted the waiver for the gentleman from California [Mr. BROWN] and the gentleman from Pennsylvania [Mr.

WALKER] and denied the waiver for Boehlert, for a very basic reason. It is because we are recognizing and we are able to present to this House and to the American people some facts that need to be brought to their attention.

Last week, 280 Members of this House voted for a balanced budget amendment. Two hundred eighty Members of this House said we are concerned with the fiscal condition of a nation that has a \$4 trillion national debt and is spending \$886 million a day, every 24 hours, just in interest on that debt. That \$886 million per day payment does not feed anyone or clothe anyone or educate anyone or take care of the health care needs of anyone. It just services the national debt.

So 280 Members of this body, Republicans and Democrats, liberals and conservatives, voted "aye" for a balanced budget amendment.

Now, let us carry this a little bit further. Every single Member of this House, and I challenge my colleagues to run away from this statement, they do not want to because it makes sense. Every single Member of this House wants to keep a lid on taxes. No one is suggesting that we raise taxes. So we want to balance the budget, yet we refuse to find any additional revenues through taxes.

Then how are we going to do it, through smoke and mirrors? Is it not time that we were honest with the American people? I think it is time.

What we have to do is start establishing some priorities.

Now, I have no challenge to the worthiness of the superconducting super collider as good science.

For the 10 years that I have been privileged to serve in this body, I have also been privileged to serve on the Committee on Science, Space, and Technology, so I have had the opportunity to examine very carefully all the many proposals that come before us. I am the first to acknowledge that the SSC does represent good science, but it is not priority science. It is not science that this Nation can afford at this critical juncture.

So I asked the Rules Committee to give me the same courtesy that was extended to the chairman of my committee and to the ranking minority member. Permit a waiver, so that we could impose a condition on going forward with the SSC.

Now, what was the condition? Was it something really onerous? No, two-fold. No. 1, to reaffirm a previously clearly stated position of this House that a ceiling of \$5 billion on the taxpayer investment in the SSC would be maintained, not a penny more.

Second, we said, as the House has said repeatedly, yes, this is an international project; yes, we want foreign contributions.

Incidentally, we have not received the first penny to date, but if we are

going to receive foreign contributions, let us make them honest contributions. Let us not do what has been suggested, enter into a contract with a Third World nation for a project involving say \$200 million and then saying if we did it here at home, it would cost us \$500 million, but since we can do it abroad for only \$200 million, we then will figure out \$300 million as a foreign contribution.

Well, good gosh, that is creative financing, and that creative financing has the Nation in a hell of a pickle, \$4 trillion in debt; \$886 million every 24 hours in interest on that debt.

Mr. Speaker, it is time to change. I would urge defeat of the rule.

Mr. FROST. Mr. Speaker, for purposes of debate only, I yield 5 minutes to the gentleman from Michigan [Mr. WOLPE].

Mr. WOLPE. Mr. Speaker, last week the House debated the proposed constitutional amendment to balance the budget. Those of us who were opposed to that amendment made a number of different points. We expressed our concern, for example, that the amendment would create the opportunity for minority rule in this Congress that a minority could effectively determine the national budget priorities of this country of ours.

But there was another concern that many of us had. It was that the passage of the constitutional balanced budget amendment would essentially avoid the tough choices and give to many people in this body, and certainly give to the President, the opportunity to cloak their votes and their support for some of the most wasteful projects within the Federal budget behind their vote for the constitutional amendment; that is, they could on the one hand vote for wasteful spending and then point to their vote for the constitutional amendment as an example of their fiscal responsibility.

Mr. Speaker, today we will have an opportunity to test the sincerity of the commitments people expressed last week to attack wasteful Federal spending. We are going to have several amendments that will be offered in the course of the debate. There are three, in particular to which I want to draw the attention of my colleagues.

I will be offering an amendment to cut the funding for the SP-100 Space Nuclear Reactor Program.

I will be offering an amendment as well to cut the funding for the advanced liquid metal reactor.

Finally, I will be joining with the gentleman from New York [Mr. BOEHLERT] and the gentleman from Ohio [Mr. ECKART] and the gentleman from Kansas [Mr. SLATTERY] in moving to eliminate funding for the super collider.

Now, understand what is at stake here. These are the three projects that have the least justification within the appropriations bill that is before us.

The Department of Energy undertook, in its own internal analysis, to evaluate all of the various energy and science programs that have been funded by the Federal Government on the basis of their comparative merit, without regard to political sensitivity. The super collider came out next to last on the list of basic science projects that were considered in this merits-based evaluation.

The advanced liquid metal reactor likewise came out near the bottom of the list of their energy technologies that were evaluated.

The Space Nuclear Reactor Program, a total fiasco, does not even have a clearly defined mission.

And so you have three projects that simply cannot be justified on the basis of their merit. I will wait until general debate and until the offering of the amendments to give further detail on the mismanagement of these programs, the cost overruns that they have incurred, and the schedule delays that have occurred.

Make no mistake: There are no projects in the bill we are considering that are less supportable on the basis of their merit.

The second point: There are enormous taxpayer savings to be realized if this body will today bit the bullet and really cast votes against these undeserving projects.

The SP-100, if we eliminate that project this year, will mean a savings of \$26 million this year, and some \$2 billion over the next decade.

If we can eliminate the Advanced Liquid Metal Reactor Program, that would represent a \$34 million savings this year, and \$5 billion over the next decade.

If we can prevail, and I certainly hope we will be able to do so today, in killing the super collider project, that would mean \$450 million of savings to be achieved this year, and at least \$4.8 billion in the year's ahead. Many would argue that the savings in the outyears will be far larger than the \$4.8 billion figure.

Now, I, too, oppose this rule. I do so for many of the same reasons that were identified by my distinguished colleague, the gentleman from New York [Mr. BOEHLERT]. It is really unfair, pure and simple. It is unfair. We came before the Rules Committee not only this year, but in previous years, requesting the opportunity to condition the expenditure of the funds for the SSC in the course of the appropriations debate.

□ 1320

And we were repeatedly denied the opportunity to offer that kind of conditional language.

Let us be very clear: The only reason the Brown-Walker amendment has been made in order is because of the effective advocacy of the gentleman from

Texas [Mr. FROST] who happens to serve on the Committee on Rules. It is an act, very simply, of desperation because I think the supporters of the SSC realize this project is in trouble. And what they are trying to do by this amendment is to provide a figleaf.

I will continue this discussion in general debate.

Mr. MCEWEN. Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, for purposes of debate only, I yield 2 minutes to the gentleman from Kansas [Mr. SLATTERY].

Mr. SLATTERY. I thank the gentleman for yielding this time to me.

Mr. Speaker, I rise today to express reluctant support for the rule. I do not have any real big problem with it. I do want to bring to the attention of my colleagues, however, several amendments that will be under consideration today; specifically, the Brown-Walker amendment and the Eckart-Slaterry-Boehlert-Wolpe amendments. I would just caution my colleagues, as they listen to the debate today, that the real tough amendment is the amendment to be offered by the gentleman from Ohio, [Mr. ECKART], the gentleman from New York [Mr. BOEHLERT], the gentleman from Michigan [Mr. WOLPE], and me. The bottom line is do we want to terminate this project? Yes or no? And let us not get sucked into this idea that we are going to be able to find countries around the world to help pay for this, because as we stand here today, Albania and India are the only two countries that have come forward with real cash to indicate an interest in this. The idea that we are going to look to the Russian Federation for assistance in building this, is laughable, in light of the speech we heard earlier today by President Yeltsin.

It just seems to me, in light of the fact that 280 of our colleagues last week voted for a balanced budget amendment, today will be the first big test of this body's will to make the tough choices.

Mr. Speaker, I strongly urge those 280 Members of last week who came to the floor and gave very eloquent speeches about the need for us to make tough choices to balance the budget, to put your rhetoric in action, we'll find out today if you are willing to make the tough choices needed.

This amendment will offer us the opportunity to save this year \$450 million. Over the next 7 to 10 years, we are talking in the neighborhood of \$10 billion, coupled with the fact that to operate this thing will cost \$300 million to \$500 million a year on an ongoing basis.

So I urge my colleagues to listen to the debate today, and I hope that they will support the attempt to strike all funding for the super collider.

Mr. FROST. Mr. Speaker, for purposes of debate only, I yield 2 minutes

to the gentleman from Ohio [Mr. ECKART].

Mr. ECKART. I thank my colleague for yielding this time to me.

Mr. Speaker, the SSC is more aptly nicknamed as "Super Spender of Cash." That is exactly what it is going to be all about. I think it is illustrative to look at the costs of this project. First, in conceptual design we were told it would cost between \$3.9 billion and \$4.2 billion. In 1990 the budget was raised to a little more than \$5 billion. In late January 1990, that number changed to \$7.2 billion and, a few months later, moved to \$7.8 billion.

In June 1990 that number jumped again to \$8.25 billion. It has grown more than 100 percent since we were first told what a good deal it was.

Now the Department of Energy tells us, in their own independent cost estimate [ICE], that the real cost can be more than \$11.25 billion.

The costs keep growing, and the only thing that looks like it will be colliding in the tunnels underneath Texas will be taxpayer dollars.

There will be several amendments, one of which I will offer, which will get to the heart of the question as to whether or not we are going to give reality to the rhetoric of the past few weeks and skill the super collider. My amendment, along with the gentleman from Kansas [Mr. SLATTERY], the gentleman from New York [Mr. BOEHLERT], and the gentleman from Michigan [Mr. WOLPE], will cut the continued development and construction of this project.

Other amendments will be offered which will precede it, the one by Mr. BROWN and Mr. WALKER, are a figleaf; they make you feel good but they will not do any good in terms of guaranteeing the real contributions, the real foreign contributions that need to be in place. I guess we should all support those, but the fact of the matter is, I say to my colleagues, we have to stop spending money we do not have on projects that we do not need.

This project, while well-intentioned, at some point in time simply has gone beyond the ability of the American taxpayers to afford.

Mr. Speaker, I urge adoption of the amendment which will make it clear that the priorities of government are elsewhere other than big construction projects that will soak the taxpayers, enrich the contractors, and leave the children paying the price.

Mr. MCEWEN. Mr. Speaker, if the gentleman from Texas [Mr. FROST] has no further speakers, I just merely would make this observation: Often in this appropriations process, as we begin to go through the 13 bills, the Subcommittee on Energy and Water often leads the way. In my experience in the Congress, the Subcommittee on Energy and Water Appropriations has been a textbook example of how the ap-

propriations process should work. They are timely, they are gentlemanly and courteous to witnesses, they are helpful in every conceivable way. And how they do it I do not know, but invariably they come in either on the mark or under the mark, and there is no need on the part of the Committee on Rules or the Congress to make exceptions for their efforts.

So, as we begin again this year for fiscal year 1993 and begin the appropriations process and have the Subcommittee on Energy and Water before us, I wish to close my comments on the rule by expressing again my admiration and respect for the gentleman from Alabama, Chairman BEVILL, the gentleman from Indiana [Mr. MYERS], the ranking member on the subcommittee, as well as all the members of the subcommittee, and wish them well and thank them for the service they do for our country so faithfully each year.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. BARTON].

Mr. BARTON of Texas. Mr. Speaker, I rise in support of the rule providing for consideration of the Energy and Water appropriation bill, and I also rise in support of the bill. I would like to speak generally and then specifically about one of the projects that is in the bill.

As to the bill itself, let me simply say that when we talk in the Congress about making tough choices, trying to be fiscally responsible, one of the bills that we should look at as a positive example of how to do that is the Energy and Water appropriations bill. This bill is spending in excess of \$21 billion for various scientific research projects, energy projects, and water projects around this country. The amount in this year's bill is less than was spent last year, and it is less than the President requested this year. There are no new authorizations in this bill. So when we talk about being responsible, I think an example of responsibility is the energy and water appropriation bill that is on the floor today.

Now let me speak specifically about one of the projects that is in the bill, the supercollider super conductor high-energy physics particle accelerator, better known as the SSC.

□ 1330

Some of my colleagues on the authorizing committee, the distinguished gentleman from New York [Mr. BOEH-LERT] and the distinguished gentleman from Michigan [Mr. WOLPE], have risen in opposition to this rule primarily because they were not given an opportunity to offer certain amendments regarding the SSC. I share their concerns, think there should be an authorization bill reported by the Committee on Science, Space, and Technology specifically addressed to the SSC. We had such a bill several years ago. It passed the House; but it died in the Senate.

Mr. Speaker, I am willing to work the rest of this Congress and in the next Congress, if am fortunate enough to be here, to pass such an authorization bill where we can debate these issues and put all of the authorizing language that, the majority of the Congress, feels that is necessary to address building the SSC.

However, having said that, this bill is an appropriation bill. It is not an authorizing bill, and so, in general, legislating on an appropriation bill should be made out of order. That is what the Committee on Rules did. The amendment they did make in order is an amendment that most Members of this body I believe are going to support, and I would think most members of the authorizing committee, the Committee on Science, Space, and Technology, are going to support.

The Brown-Walker amendment, with regards to the SSC, requires the Department of Energy by June 1, 1993 to certify to the Congress that the international participation that has been estimated in the baseline cost estimate submitted in the Congress 2 years ago is going to be met, or we are not going to spend any more money on the SSC. Proponents and opponents of the SSC support such language. We say it is going to be an international project. It should be an international project.

The amendment that the gentleman from California [Mr. BROWN], the chairman, and the gentleman from Pennsylvania [Mr. WALKER], the ranking Republican, are going to offer simply says what we have already accepted de facto in any event is policy. That is the only authorizing amendment that should be made in order, and the Committee on Rules is to be commended for making that amendment in order.

We should have a general debate on the SSC, in the context of an authorization bill. We should have an SSC authorizing bill. We should debate all issues relating today to the SSC, but today is not that time.

I rise in support of the rule, I rise in support of the bill, and at the appropriate time I will have some remarks on the amendment in the bill.

Mr. MCEWEN. Mr. Speaker, I yield back the balance of my time.

Mr. FROST. Mr. Speaker, the issues are pretty clear-cut. This is a fair rule. We should approve the rule and get on to the issues of the day.

A number of us have differences with the gentleman from Michigan [Mr. WOLPE], the gentleman from Kansas [Mr. SLATTERY], and the gentleman from Ohio [Mr. ECKART] on the merits of the SSC, on whether the United States should surrender its lead and scientific development or not, and I have the feeling the United States should not surrender that lead in the scientific area, and I would hope that, when we get to the motion to strike, that the funding will be defeated.

But that is not what is at issue right now. The issue is the rule, and I urge adoption of the rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. MONTGOMERY). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FROST. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 377, nays 44, not voting 13, as follows:

[Roll No. 195]

YEAS—377

Abercrombie	Combest	Gonzalez
Ackerman	Condit	Goodling
Alexander	Conyers	Gordon
Allen	Cooper	Goss
Anderson	Costello	Gradison
Andrews (ME)	Coughlin	Green
Andrews (NJ)	Cox (IL)	Guarini
Andrews (TX)	Coyne	Gunderson
Annuzio	Cramer	Hall (OH)
Anthony	Cunningham	Hall (TX)
Applegate	Darden	Hamilton
Archer	Davis	Hammerschmidt
Armey	de la Garza	Hansen
Aspin	DeFazio	Harris
Atkins	DeLauro	Hastert
AuCoin	Dellums	Hatcher
Bacchus	Derrick	Hayes (IL)
Baker	Dickinson	Hayes (LA)
Ballenger	Dicks	Henry
Barnard	Dingell	Hertel
Barrett	Dixon	Hoagland
Barton	Donnelly	Hobson
Bateman	Dooley	Hochbrueckner
Bellenson	Doolittle	Holloway
Bennett	Dorgan (ND)	Horn
Bentley	Downey	Horton
Berman	Durbin	Houghton
Bevill	Dwyer	Hoyer
Billirakis	Dymally	Huckaby
Blackwell	Early	Hughes
Bliley	Eckart	Hutto
Boehner	Edwards (CA)	Hyde
Borski	Edwards (OK)	Inhofe
Boucher	Edwards (TX)	Jacobs
Boxer	Emerson	James
Brewster	Engel	Jefferson
Brooks	English	Jenkins
Broomfield	Erdreich	Johnson (CT)
Browder	Evans	Johnson (SD)
Brown	Ewing	Johnson (TX)
Bruce	Fascell	Johnston
Bryant	Fazio	Jones (GA)
Bustamante	Feighan	Jones (NC)
Byron	Fields	Jontz
Callahan	Fish	Kanjorski
Camp	Flake	Kaptur
Campbell (CA)	Foglietta	Kasich
Campbell (CO)	Ford (MI)	Kennedy
Cardin	Ford (TN)	Kennelly
Carper	Frank (MA)	Kildee
Carr	Frost	Klecicka
Chandler	Gallegly	Klug
Chapman	Gallo	Kolbe
Clay	Gaydos	Kolter
Clement	Gedensson	Kopetski
Clinger	Gephardt	Kostmayer
Coble	Geren	LaFalce
Coleman (MO)	Gibbons	Lagomarsino
Coleman (TX)	Gillmor	Lancaster
Collins (IL)	Gilman	Lantos
Collins (MI)	Glickman	LaRocco

Laughlin	Oliver	Sisisky
Leach	Ortiz	Skaggs
Lehman (CA)	Orton	Skelton
Lehman (FL)	Owens (NY)	Slatery
Lent	Owens (UT)	Slaughter
Levin (MI)	Oxley	Smith (FL)
Levine (CA)	Packard	Smith (IA)
Lewis (GA)	Pallone	Smith (NJ)
Lightfoot	Panetta	Smith (OR)
Lipinski	Parker	Smith (TX)
Livingston	Pastor	Solarz
Lloyd	Patterson	Solomon
Long	Paxon	Spence
Lowery (CA)	Payne (NJ)	Spratt
Lowey (NY)	Payne (VA)	Staggers
Luken	Pease	Stallings
Machtley	Pelosi	Stark
Manton	Penny	Stearns
Markey	Perkins	Stenholm
Marlenee	Peterson (FL)	Stokes
Martin	Peterson (MN)	Studds
Martinez	Petri	Sundquist
Matsui	Pickett	Sweet
Mavroules	Pickle	Swift
Mazzoli	Poshard	Synar
McCloskey	Price	Tallon
McCollum	Pursell	Tanner
McCrery	Rahall	Tauzin
McCurdy	Rangel	Taylor (MS)
McDade	Ravenel	Taylor (NC)
McDermott	Ray	Thomas (GA)
McEwen	Reed	Thomas (WY)
McGrath	Regula	Thornton
McHugh	Rhodes	Torres
McMillan (NC)	Richardson	Torricelli
McMillen (MD)	Rinaldo	Towns
McNulty	Roe	Trafficant
Michel	Roemer	Unsoeld
Miller (CA)	Rogers	Upton
Miller (OH)	Rohrabacher	Valentine
Mineta	Ros-Lehtinen	Vander Jagt
Mink	Rose	Vento
Moakley	Rostenkowski	Visclosky
Molinar	Roth	Volkmer
Mollohan	Roukema	Walker
Montgomery	Rowland	Walsh
Moody	Roybal	Washington
Moorhead	Russo	Waters
Moran	Sabo	Waxman
Morrison	Sanders	Weber
Mrazek	Sangmeister	Weiss
Murphy	Santor	Weldon
Murtha	Sarpallus	Wheat
Myers	Sawyer	Whitten
Nagle	Saxton	Williams
Natcher	Scheuer	Wilson
Neal (MA)	Schiff	Wise
Neal (NC)	Schroeder	Wolf
Nichols	Schulze	Wyden
Nowak	Schumer	Wyllie
Nussle	Serrano	Yates
Oakar	Sharp	Yatron
Oberstar	Shaw	Young (AK)
Obey	Shuster	Young (FL)
Olin	Sikorski	

NAYS—44

Allard	Gekas	Riggs
Bereuter	Grandy	Ritter
Bilbray	Hancock	Roberts
Boehert	Hefley	Schaefer
Bunning	Hopkins	Sensenbrenner
Burton	Hunter	Shays
Cox (CA)	Kyl	Skeen
Crane	Lewis (CA)	Snowe
Dannemeyer	Lewis (FL)	Stump
DeLay	McCandless	Thomas (CA)
Dorman (CA)	Meyers	Vucanovich
Dreier	Mfume	Wolpe
Duncan	Morella	Zeliff
Fawell	Ramstad	Zimmer
Franks (CT)	Ridge	

NOT VOTING—13

Bonior	Heger	Quillen
Espy	Hubbard	Savage
Gilchrest	Ireland	Taxler
Gingrich	Miller (WA)	
Hefner	Porter	

□ 1354

The Clerk announced the following pair:

On this vote:

Mr. Quillen for, with Mr. Porter against.
Mr. RIGGS and Mr. HANCOCK changed their vote from "yea" to "nay."

Messrs. JOHNSTON of Florida, HANSEN, and JACOBS changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 310. Joint resolution to designate August 1, 1992, as "Helinski Human Right Day."

GENERAL LEAVE

Mr. BEVILL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the consideration of the bill, H.R. 5373, making appropriations for energy and water development for 1993, and that I be permitted to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1993

Mr. BEVILL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5373) making appropriations for energy and water development for the fiscal year ending September 30, 1993, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from Indiana [Mr. MYERS] and myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama [Mr. BEVILL].

The motion was agreed to.

□ 1359

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the

consideration of the bill (H.R. 5373) with Mr. PEASE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the bill was considered as having been read the first time.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Alabama [Mr. BEVILL] will be recognized for 30 minutes, and the gentleman from Indiana [Mr. MYERS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama [Mr. BEVILL].

□ 1400

Mr. BEVILL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we bring to you today for your favorable consideration the bill H.R. 5373 making appropriations for energy and water development for the fiscal year 1993. I am joined in this effort by my colleagues on the Energy and Water Development Subcommittee who have worked long and hard to bring this legislation to the floor. Let me express my special appreciation to our ranking minority member, the gentleman from Indiana [Mr. MYERS]. As in years past, he and I have worked together with the subcommittee without any trace of partisanship to fashion a bill that meets the present and future needs of our entire country. I also want to express my appreciation and thanks to the members of the subcommittee, the gentleman from California [Mr. FAZIO], the gentleman from Georgia [Mr. THOMAS], the gentleman from Texas [Mr. CHAPMAN], the gentleman from Colorado [Mr. SKAGGS], the gentleman from New Jersey [Mr. DWYER], the gentleman from Michigan [Mr. PURSELL], and the other gentleman from New Jersey [Mr. GALLO]. I want to also thank Chairman WHITTEN, a member of the subcommittee, and Mr. MCDADE for their assistance. I would like to note that we will be losing three members on the subcommittee this year. Mr. THOMAS, Mr. DWYER, and Mr. PURSELL have decided not to stand for reelection to the 103d Congress. They have been valuable members of the subcommittee, and they will be missed.

Mr. Chairman, at the outset, I want to point out to Members of the House that this bill is within the section 602(b) allocation for both new budget authority and outlays. I caution Members that any amendments offered to increase appropriations for any programs in this bill will put it over our allocations amount as we are right at our ceiling.

The committee believes that this is the best bill that could be developed within the severe budget constraints that we faced. The bill includes no new preconstruction engineering and design or construction starts for the Corps of Engineers or Bureau of Reclamation. The fiscal year 1993 funding level is so

tight that financing new programs or projects would severely impact ongoing programs.

Mr. Chairman, the bill before the committee today would provide \$21,835,286,000 to the Army Corps of Engineers, the Bureau of Reclamation, the Department of Energy, and eight independent agencies and commissions. The bill includes \$11,887,459,000 for defense activities and \$9,947,827,000 for domestic programs. The amount for defense is \$244,170,000 below the budget request, and the amount for domestic programs is \$386,482,000 below the administration's request.

I would like to note that the total amount recommended in the bill is \$21,795,636,000 in new budget authority. However, the Congressional Budget Office has scored the bill at a total amount of \$21,835,286,000 due to an adjustment needed to compensate for \$39,650,000 of excess revenues received in the uranium enrichment account. The \$21,835,286,000 is equal to the subcommittee's 602(b) allocation.

TITLES I AND II—WATER RESOURCE DEVELOPMENT

Mr. Chairman, the committee is committed to a policy of development of the vital navigation, flood control, water supply, irrigation, and hydroelectric projects that are necessary to the well-being and economic growth of the entire Nation. No part of this country is immune from the problems of water—too little or too much—and all States of the Union must join together cooperatively to foster a truly national water policy which responds to the unique needs of each State and region.

Title I includes \$3,663,670,000 for the Corps of Engineers which provides for 494 water resource projects in the planning or construction phases.

Title II includes \$825,825,000 for the Bureau of Reclamation which provides for 96 water resources projects in the planning or construction phases.

Titles I and II also provide for research and development activities, other studies which are not project specific, and projects in the operation and maintenance category. Within the available funds, the subcommittee has attempted to accommodate the most critical needs, within budget constraints, identified through the extensive hearings conducted with administration witnesses, the public, State, and local officials and Members of Congress. It was unfortunate this year that the committee was unable to provide for new preconstruction engineering and design projects or new construction starts for the Corps of Engineers and Bureau of Reclamation in this bill, but we did seek to maintain adequate funding for those projects which are ongoing.

TITLE III—DEPARTMENT OF ENERGY

In title III, for the Department of Energy, the recommendation provides a total of \$16,948,105,000. In this title, we

are recommending \$11,874,459,000 for the national security programs and \$5,073,646,000 for all other energy programs. The amount recommended for energy research programs maintains a balanced energy research program and a healthy scientific research effort. The recommendations include many changes in the request which are summarized in the report. I will mention a few.

In the energy programs of the Department of Energy, several items are worth mentioning:

For solar and renewable energy programs, we are recommending \$246,975,000, which is the same as the budget request.

The magnetic fusion program was reduced by \$20,000,000 to a recommended level of \$339,710,000 due to severe budget constraints.

For environmental restoration and cleanup activities at Department of Energy defense and nondefense facilities, the committee recommendation is \$5,312,703,000, the same as the budget request, and an increase of \$1,029,536,000 over the fiscal year 1992 appropriation.

For nuclear energy R&D, the recommendation is \$304,294,000, a decrease of \$32,364,000 from the fiscal year 1992 level. Due to severe budget constraints, the committee was unable to fund the proposed new space exploration initiative.

For general science and research, the committee recommendation provides a total of \$1,448,884,000, a decrease of \$203,800,000 from the budget request. The recommendation includes \$483,700,000 for the superconducting super collider, a decrease of \$166,300,000 for the budget request, and the same as the fiscal year 1992 appropriation. In addition, the committee recommendation provides \$15,000,000 for the Fermilab main injector, the same as the fiscal year 1992 level, and \$15,000,000 less than the request. The reductions were necessary due to the severe budget constraints the committee faced.

The recommendation for defense programs of \$11,874,459,000 is \$93,541,000 below the current appropriation and \$244,170,000 below the budget request. The recommended level includes increased funds for defense waste cleanup as I noted previously.

TITLE IV—INDEPENDENT AGENCIES

Title IV of the bill includes \$358,036,000 for eight independent agencies. This is \$3,599,000 below last year's level.

We have provided \$185,000,000 for the Appalachian Regional Commission; \$135,000,000 for the Tennessee Valley Authority; \$13,000,000 for the Defense Nuclear Facilities Safety Board; \$2,060,000 for the Nuclear Waste Technical Review Board, and \$1,876,000 for three river basin commissions.

The committee recommendation provides \$535,415,000 for the Nuclear Regulatory Commission, which is offset by

revenues of \$514,315,000, resulting in a net appropriation of \$21,100,000.

GENERAL PROVISIONS

The bill contains several general provisions carried in prior years to permit the agencies funded in this bill certain flexibility and to limit other activities.

In addition, section 507 provides for a 1-year moratorium on any explosive nuclear weapons test unless the President certifies that any of the independent states of the former Soviet Union has conducted a testing during that period.

COMMITTEE REPORT

The report accompanying the bill provides a good explanation of the recommendations reflected in the bill. I would encourage the Members to look through it.

This is a good bill. I recommend its adoption.

□ 1410

Mr. MYERS of Indiana. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the chairman of our subcommittee has done an excellent job, as he usually does, in presenting our bill. Today we are coming to the floor with the first appropriations bill for this year, one of 13 major appropriations bills, plus I suspect at least one or two more supplemental bills.

As the chairman has said, there are a great many people who have contributed to this bill: the staff, under the able leadership of Hunter Spillan; our colleagues on the Subcommittee on Energy and Water Development of the Committee on Appropriations, three of whom will not be back next year, and we will miss them very much, they have been contributors through the years; the gentleman from Georgia [Mr. THOMAS], who is a very capable member; our colleague, the gentleman from New Jersey [Mr. DWYER] and our colleague, the gentleman from Michigan [Mr. PURSELL]. So we will miss them, but they have been very valuable members.

When the committee started hearings back in February we knew we would have a lot of witnesses. We had 106 of our colleagues testify before our committee, a number of Governors, and thousands of witnesses sent messages or came in person to testify before our committee.

As the chairman has said, this is the most austere appropriations bill that we have had through the years that the chairman and I have been on this committee. At a time when the country is asking for the Government to be more careful in its spending, this subcommittee has complied by coming in with \$43.5 million less than last year, and \$623 million less than the President's request. It has not been easy. A great many of the Members have come forth with some requests for programs which are very fine programs, ones

which in previous years we probably, could have included, but if we are going to cut spending, we need to start with the first appropriations bill, and this committee has certainly done this.

One of the problems we had, one of the biggest problems, of course, is the superconducting super collider, which the Members are going to hear a lot about this afternoon, built in Texas. It is the largest public works project ever started by any nation in the world.

It is a very fine program. However, our committee felt we just could not come up with the request that the President made, so we did fund it at last year's level, as we did a number of other programs. We came into last year's level with just \$483 million, and the President requested \$166 million more than that. We just were not able to fund it at the level requested by the President.

One of the other big programs the President objected to or the Office of Management and Budget objected to is the Fermilab main injector, out in Illinois, again a very fine research instrument. We funded it, again, at last year's level, not that we expected it to be killed, we certainly do support the program, but we just did not have the money this year.

The Office of Management and Budget did object to the fact that we did not put the money in that it requested, \$183 million for environmental cleanup and language to implement a user fee. This is the Committee on Appropriations. Certainly the environment needs to be cleaned up, but we could not fund the \$183 million because it would require authorization for the user fee program in this particular fund, so we did not include that.

Another objection that some of us had is the environmental cleanup in the bill. More than \$5 billion of a \$21 billion program goes for environmental cleanup; not that I am opposed to environmental cleanup. Some, as the chairman has suggested, goes back to World War II days. However, anything that has been around that long surely could wait maybe another year or two for cleanup in this important year, this year when we are in a crunch trying to find enough dollars to fund the programs. So I question whether a \$1 billion increase this year, at a time when we are so tight for money and so many of the programs are pressed to finish, is the appropriate way to spend our dollars this year.

There are other programs that the administration does object to. One is section 507, which provides a 1-year moratorium on nuclear testing. I think the Members probably will hear more about that today.

In closing, I am sure from this floor today the Members are going to hear the four-letter word that we on this committee do not like to hear, "pork." Last night on Public Broadcasting here

in Washington was a program on the awesome power of water. It showed the destructive power of floods, the sweeping away of property, the sweeping away of automobiles. One was a school bus carrying teenage children, and 10 were killed. Ten teenage children were killed in the devastation. The power of water, something this committee has attempted to address to control floods. Some will call these projects pork. Tell the parents of those 10 teenagers that were swept away and drowned that this bill contains pork. Tell those that are expecting energy to always be available, and for our children and grandchildren to have available the cheap sources of energy that this committee seeks to achieve, that this bill is pork.

It once was called the all-American bill because it does touch every one of us a number of times each day. The programs we are funding in this program are something that are an investment in our future, our children's future, our grandchildren's future. It is a sound bill, one that needs support.

Mr. Chairman, I yield such time as he may consume to the gentleman from Arkansas [Mr. HAMMERSCHMIDT], another one of our colleagues who is leaving us.

Mr. HAMMERSCHMIDT. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman. I want to express my strong support and appreciation to the gentleman from Indiana [Mr. MYERS], to the gentleman from Alabama [Mr. BEVILL], to the gentleman from Mississippi [Mr. WHITTEN], to the gentleman from Kentucky [Mr. NATCHER], and to the gentleman from Pennsylvania [Mr. MCDADE] for putting together a very strong investment bill for the citizens of this country. I strongly support it.

Mr. Chairman, I rise in support of H.R. 5373, the energy and water development appropriations bill for fiscal year 1993.

Let me commend all those involved for their hard work and sound judgment in putting this important bill together and bringing it to the floor. Mr. WHITTEN, Mr. NATCHER, and Mr. MCDADE deserve our thanks for their leadership and their commitment to a responsible funding package for our energy and water programs.

I especially want to thank the chairman and ranking member of the subcommittee, the gentleman from Alabama [Mr. BEVILL], and the gentleman from Indiana [Mr. MYERS], for all of their hard work and cooperation—in this bill and over the many years we have served together in this House.

Mr. Chairman, this is a good bill. It is a responsible bill. The overall funding level of \$21.8 billion is below the President's request and even below last year's funding level. Yet it manages to find the needed funds for modest increases in the important Corps of Engineers water civil works programs.

The Corps's program is an important component in the development and protection of our Nation's infrastructure. It provides navigation,

flood control, and hydropower improvements essential to our economy. In addition, these programs provide ancillary water quality, water supply, recreation and fish and wildlife benefits.

For example, in my region, Corps projects give us a system of navigation along the Arkansas and White Rivers which provides cost effective transportation to the region, a comprehensive system of multipurpose reservoirs which generates power and tourism while providing clean sources of water supply, and levees and other improvements which protect our towns and cities from flood waters.

Funds provided in this bill will allow continuation of important initiatives in my region. This includes the Beaver Lake Water Quality Program, essential dam safety repairs at that same lake, and planning, engineering and design of improvements at the mouth of the McClellan-Kerr waterway needed to address low water problems. I want to thank the committee for all their help in funding these important projects and in addressing substantive problems, through bill language and report language, to allow this work to proceed quickly and in a fair and equitable manner.

In summary, let me repeat that this is a good bill—one that makes needed cuts while providing needed funds to continue essential public works programs.

Mr. MYERS of Indiana. Mr. Chairman, I thank my colleague in the committee with whom we have always worked so well. We will miss you very much, JOHN PAUL.

Mr. Chairman, I reserve the balance of my time.

Mr. BEVILL. Mr. Chairman, I yield 1 minute to our friend and colleague, the gentleman from Kentucky [Mr. MAZZOLI].

Mr. MAZZOLI. Mr. Chairman, I thank the gentleman for yielding time to me, and would ask my friend from Alabama to engage in a very brief colloquy.

I want to first of all salute the gentleman for bringing this bill to the floor and for his work over the years.

Mr. Chairman, with reference to the Belvedere connector project, which is in my district of Louisville, KY, for which \$3.5 million was appropriated in fiscal year 1991, am I correct, Mr. Chairman, that the gentleman supports commencement by the Corps of Engineers of construction of the Belvedere project by May 31, 1993, and that under normal construction procedures the project should be completed by September 30, 1995?

Mr. BEVILL. Mr. Chairman, will the gentleman yield?

Mr. MAZZOLI. I yield to the gentleman from Alabama.

Mr. BEVILL. Mr. Chairman, the gentleman is correct, and I am delighted to take part in this colloquy with him.

Mr. MAZZOLI. Mr. Chairman, I thank the gentleman. Once again, I appreciate his work over the years, and thank him for his comment.

Mr. MYERS of Indiana. Mr. Chairman, I yield 3 minutes to the gen-

tleman from Pennsylvania [Mr. McDADE], the ranking Republican member of the Committee on Appropriations.

Mr. McDADE. Mr. Speaker, I take just a few minutes to express the deep appreciation I feel to the distinguished chairman from Alabama [Mr. BEVILL], the chairman of the subcommittee; to my dear friend, the gentleman from Indiana [Mr. MYERS], who has his heart and soul in this bill, and to all the members of this subcommittee who worked so hard to produce a bill under extraordinarily difficult circumstances.

Mr. Chairman, this is the first appropriation bill to come to the House this year, and it is also the second year that this body has had to face the harsh realities of the Budget Enforcement Act of 1990. Last year we had a glimpse of the discipline that the Budget Enforcement Act process imposes on us. We got a taste of how real the spending cuts were, how difficult they were, and how difficult they were to achieve. This year we got more than a taste, we got a real bite.

This subcommittee achieved its work, even though it received an allocation that is below the 1992 level by \$39 million in budget authority, far less than anyone would have wished. Nevertheless, my colleagues did what it took to stay within the allocation. They made a lot of hard choices. They said no to an awful lot of people, as my friend, the gentleman from Indiana [Mr. MYERS] just attested to when he talked about witnesses who appeared before the subcommittee. They were tough, they were responsible, they were fair. That is the most important thing.

□ 1420

Mr. Chairman, I think the House should recognize that for the second year in a row, there are no new starts in this bill which invests, as my friend has said so ably, in America. For the first time in my 30 years as a member of the Appropriations Committee there are no new preconstruction, engineering, and design awards, which are the precursors to future years' projects.

They did yeoman work under very difficult circumstances. They deserve the support of the House, and they deserve our applause. I hope this bill is adopted by a huge margin.

Mr. Chairman, I have reservations about the nuclear weapons testing ban included in this bill. At this time, I would like to insert in the RECORD letters from the Secretary of Defense, the Secretary of Energy, and the Assistant to the President for National Security Affairs on this issue.

THE WHITE HOUSE,
Washington, June 17, 1992.

Hon. JOSEPH McDADE,
Ranking Minority Member, Committee on Appropriations, House of Representatives,
Washington, DC.

DEAR CONGRESSMAN McDADE: I am writing to express my strong opposition to a moratorium on nuclear testing.

The dramatic changes in the international security environment are leading to profound changes in the size and composition of the nuclear forces of the United States and the former Soviet Union. The START Treaty and the President's nuclear initiative of last September will reduce total U.S. nuclear weapons to about one half the level of 1990. Yesterday, the President and President Yeltsin announced a remarkable agreement on even more far-reaching strategic arms reductions. When codified in a treaty, that agreement will result in the elimination of the world's most dangerous weapons—multiple-warhead ICBMs—and will further reduce our strategic nuclear stockpile to less than one-third the 1990 level.

Despite these extraordinary reductions, nuclear deterrence remains an essential element of U.S. national security strategy. As long as this is the case, the U.S. must conduct a limited number of nuclear weapons tests to ensure the safety and credibility of our forces. Testing is essential to monitor, maintain and improve the safety of the stockpile. It is also critical to evaluating and maintaining the reliability of our deterrent capability.

In keeping with the dramatic reductions in the number and types of our nuclear forces, the United States has significantly reduced the number of our nuclear tests. We now conduct only about one-third as many tests as we did in the early 1980s. Our dramatic achievements in nuclear arms reductions amply demonstrate that a moratorium on testing is in no way required for far-reaching arms reductions. Nor does the fact of U.S. nuclear testing provide any incentive to potential nuclear proliferators. However, a modest but effective nuclear testing program remains essential to U.S. and international security.

Sincerely,

BRENT SCOWCROFT.

THE SECRETARY OF ENERGY,
Washington, DC, June 16, 1992.

Hon. THOMAS S. FOLEY,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: As the House begins consideration of H.R. 5373, the "Energy and Water Development Appropriations Act, 1993", I am writing my views on certain provisions in the bill and on significant amendments expected to be considered by the House.

I am very concerned about the FY 1993 appropriation level currently in the bill for the Superconducting Super Collider (SSC) and would oppose strongly any amendment to reduce further or strike SSC funding. In this era of construction delays and higher costs, I am proud to report that the SSC is being built on schedule and on cost. The SSC will help ensure that the U.S. maintains its preeminence in fundamental science and engineering research. The Project successfully developed and tested the superconducting magnets during the past year. It is imperative that we continue to fully support the SSC so that we build on U.S. scientific leadership. Accordingly, a cancellation of funding would result in a loss of over 7,800 first-

tier jobs. Also, any amendment which would have the effect of inhibiting the continuous flow of appropriated funds would be counterproductive and opposed to the Administration.

I also strongly oppose section 507, the nuclear testing moratorium provision. Underground testing is now at its lowest level in almost 40 years. Halting nuclear testing will not enhance our nonproliferation objectives nor increase global security. Testing is critical to our ability to introduce enhanced safety features into the weapons stockpile and is essential to assure weapons reliability. A nuclear testing moratorium only jeopardizes, rather than increases, our national security.

We also would oppose other amendments that may be offered to reduce funding for certain programs if they are not consistent with the President's FY 1993 budget request. In particular, I am concerned about a possible amendment which may be offered on the floor that would reduce the "Departmental Administration" account by 10 percent. I would oppose this amendment because it would force the Department to either reduce Headquarters' service contracts by about 20 percent or initiate Reduction-in-Force procedures for approximately 750 positions.

Mr. Speaker, the Department looks forward to working with the Members of the House to pass a reasonable appropriations bill.

Sincerely,

JAMES D. WATKINS,
Admiral, U.S. Navy (Retired).

THE SECRETARY OF DEFENSE,
Washington, DC, June 3, 1992.

Hon. THOMAS S. FOLEY,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I am writing to express my strong opposition to a moratorium on nuclear testing. Nuclear deterrence will continue to play a key role in the future of our nation's security, and continued nuclear testing is needed if we are to be confident in the safety, security, effectiveness, survivability and reliability of the smaller nuclear stockpile.

Both the Congress and the Administration share the goal of assuring the safety of our nuclear stockpile. Continued nuclear testing is critical to this end. It is essential both for incorporating additional safety features into our weapons and for identifying, assessing, and correcting aging, safety, and other problems that may arise.

Many believe that nuclear testing contributes to an arms race or hinders the important effort to stem nuclear proliferation. This is not the case. The nonproliferation challenge will not be eased by the cessation of nuclear testing. Revelations regarding the Iraqi nuclear program have demonstrated once again that testing is not required to develop a basic nuclear weapon capability. Rogue nations such as Iraq or North Korea will not be deterred from pursuing nuclear weapons programs by a halt in U.S. nuclear testing.

As to contributing to an arms race, our nuclear testing program did not hamper the very deep nuclear reductions being brought about by START and the President's initiatives on September 27, 1991 and January 28, 1992. Full implementation of START and the President's recent initiatives would reduce our stockpile size to about 30 percent of its September 1990 level—a dramatic demonstration that further testing limits are not required for deep and stabilizing arms reductions.

A halt to our nuclear testing would not eliminate any nuclear weapons, nor would it increase international security. However, it would erode our confidence in our remaining nuclear deterrent, prevent us from making desirable safety improvements, and severely restrict our ability to insure that our nuclear deterrent will meet the requirements of our national security.

Sincerely,

DICK CHENEY,
Secretary of Defense.

Mr. BEVILL. Mr. Chairman, I yield 3 minutes to our friend and colleague, the gentleman from Virginia [Mr. OLIN].

Mr. OLIN. Mr. Chairman, I would first like to thank Chairman BEVILL, Mr. JOHN MYERS, and the other members of the committee and the committee staff for all the help they have given me over the years. I know they have a very difficult job, and they work hard to develop responsible legislation that is fair to all members.

I must say, however, that I deeply regret the fact that the committee has been unable to fund any new construction starts. I recognize the tremendous fiscal pressure that the committee faced this year. But many of these projects, which have been supported through engineering and design, simply can't wait. Let me tell you about one in my district.

Buena Vista is a city of 6,000 people located in the middle of the Shenandoah Valley whose very existence depends on a flood control project that we've been working on for the past 6 years and is ready to start construction. Flooding has already cost this small city the loss of two industries and 500 jobs from the great flood of 1985. And even as I speak here today, the city is under still another Federal disaster declaration from flooding that occurred this past April.

The city has already spent over \$1 million on the flood control project. It has sold bonds and raised the taxes on its citizens to help pay for this project. Moreover, it has persuaded the State of Virginia to contribute funds to a Federal flood control project for the very first time in history.

Buena Vista's citizens have done everything that has been asked of them, everything they are capable of doing, to get this project built. The remaining industries in Buena Vista are watching the Federal Government very closely as they evaluate their future plans in Buena Vista. If this flood control project cannot be started, they will leave.

As we debate providing disaster relief for the riots in Los Angeles and the flood in Chicago, aid to Russia, and many other worthy causes, I hope my colleagues will recognize that smaller communities have disasters, too. And the consequences can be life or death for the whole community.

Such is the case with Buena Vista. The people there are desperately trying

to save their city from another catastrophic flood. The city and the State have done their parts. All that remains is for the Congress to give the go ahead; \$1.3 million to start construction is all that is needed.

Obviously, the fiscal constraints we face this year are enormous, probably the biggest they have ever been. But we have found money for many disasters—lots of money. Frankly, this Federal project is the only thing that stands between little Buena Vista and extinction. The city has only me and the two Virginia Senators to save it. This project is my single highest priority in this, the last year of my congressional career. I sincerely hope that as this process proceeds, we will be able to find a way to fund this absolutely essential project. I would appreciate your help as I ask for it.

Mr. MYERS of Indiana. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. GALLO], a very able-bodied member of our subcommittee.

Mr. GALLO. Mr. Chairman, I rise today in support of H.R. 5373 and its accompanying report making appropriations for energy and water development for fiscal year 1993. As a member of this subcommittee, I would like to thank Chairman BEVILL and ranking member JOHN MYERS for their leadership and direction. I would also like to thank the dedicated and capable staff of the subcommittee for their expertise and knowledge of these important issues.

This year, as appropriators, we had a difficult task balancing our Nation's energy and water needs due to the fact of the tight budget restraints. However, I am proud of the fact that we have crafted a bill that will continue to move this country toward energy efficiency and energy independence.

With this bill, we have also made a significant long-term commitment to the development of new energy sources for our future needs. Oftentimes we find it very difficult to look to the future for our energy needs. However, we must make the commitment now. We must provide the economic opportunities today. Without this investment we are dooming our future generations to a lower standard of living and less productive lives.

I believe this bill takes that necessary step. Within this bill, we have funded programs that will make this country less dependent on foreign sources of energy. We have funded scientific research that will give us the edge and the capability to take this country into the 21st century. I am pleased that the committee increased the solar budget account from last year so that we can continue the important work in the area of photovoltaics and wind energies.

An important element of this year's funding bill is the \$339 million for the

magnetic fusion energy program. It is difficult to think of a more worthwhile Federal investment than research and development into future energy alternatives. Fusion holds the promise of an environmentally benign and safe source of energy and it is an investment that I am happy to support.

We, in Congress, talk a lot about energy security and energy strategies. The American fusion energy strategy is really quite simple: Maintain strength in the U.S. program while cooperating with our international partners on a large experiment that will bring fusion science closer to a commercial fusion reactor. Without a strong domestic program, America won't be able to compete and lead the world community in fusion research and American industry will be left behind on a promising energy technology.

The U.S. fusion program is spread out across the country at over 30 universities and research laboratories. In New Jersey, the Princeton Plasma Physics Laboratory is home to the country's largest fusion machine, the tokamak fusion test reactor [TFTR], where next year scientists will introduce a fuel mixture of deuterium-tritium. These D-T experiments are the highest priority in the U.S. fusion program and this appropriations bill will bring those D-T experiments closer to reality.

Another important part of this bill are the funds for the next fusion machine, which will replace TFTR at Princeton. The fusion community has started early design work on a smaller machine that will explore long pulsed fusion phenomenon and advanced tokamak operations, both critical to the eventual design of a commercial fusion reactor.

Interest in fusion is growing, but we have to stick with it. These are not simple issues and these are not scientific experiments that can wait until the electricity demands of the future are upon us. Last year, the funding for fusion increased. But, after more than a decade of shrinking budgets, I say the time has come to keep the investment in fusion strong. I am pleased my colleagues on the Appropriations Committee have made their commitment to fusion research.

In addition, this bill also provides funding for a number of critical flood control projects throughout the United States. These important projects will help to prevent property damage in areas with recognized flooding problems. It is even more important, however, that these projects move forward in order to save the countless lives lost to devastating floods. This bill provides the needed relief to those areas stricken each year by floods.

Funding for continuation of the design phase of the Passaic River dual inlet flood tunnel project represents our commitment to prevent what could

become the worst natural disaster in any of our Nation's river basins.

The \$10 million contained in this bill is the minimum required to keep this important flood control project on track. This critical project will save lives, prevent flooding while preserving wetlands, and will create 2,500 jobs for 10 years.

I will never forget the fear and apprehension expressed by the people in the Passaic River basin after April flooding in 1984 took three lives and caused \$355 million in damage.

Eight years have passed since that event and thankfully we have not been hit with a devastating flood to this point. While no one can accurately predict what the future will bring, we can be sure that time is not on our side, based on past experience.

This bill also contains priority funding for the Green Brook flood control project in the Raritan River basin as set at \$3.5 million.

These critical New Jersey flood control projects must move forward in order to protect the public safety in the Passaic and Raritan River basins.

Preparing for our future needs is never easy, but H.R. 5373 provides the insight and programs that will make it a little easier. I urge the adoption of this important bill.

Mr. BEVILL. Mr. Chairman, I yield 2 minutes to our colleague, the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I thank my chairman for yielding the time and wish to thank him and our ranking minority member, the gentleman from Indiana [Mr. MYERS] for the leadership they have given the committee this year in bringing this bill to the floor, first among the appropriation bills as is the tradition.

I am particularly pleased that the bill includes a provision that will block the consolidation of what is generally referred to as the nonnuclear elements in the Department of Energy's nuclear weapons complex. This proposed consolidation would affect a number of DOE plants around the country, bringing their nonnuclear operations together in Kansas City. The Department estimates that this will cost well over a quarter of a billion dollars up front to accomplish. With that kind of cost involved, I think the committee has wisely acted to halt the proposed consolidation until we have clear and really conclusive evidence from the Department that the proposal will ultimately save the American taxpayers the substantial moneys the Department suggests it will.

In the meantime, speaking for my own part of the country in Colorado where some 800 jobs at the Rocky Flats plant would be affected, and given the downsizing that is occurring there in any event, we are anxious to have those positions retained and are pleased that we have this provision in the bill to effect that outcome.

I also want to make note of the fact that in this very, very difficult budget environment the bill before us includes the President's full request for solar and renewable energy, a modest increase over current fiscal year funding. But in the context of the funding constraints in many, many areas, it is a remarkable plus that the committee has been able to support solar and renewable to the degree that the bill does.

Again, noteworthy in this bill is that it is coming in below this year's appropriation level and substantially below the President's request. I think that demonstrates the discipline of the subcommittee and the full committee in meeting our obligations in these times of necessary frugality.

Mr. MYERS of Indiana. Mr. Chairman, I yield 2 minutes to our colleague, the gentleman from Arizona [Mr. KOLBE], a member of the Committee on Appropriations.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in strong support of the fiscal year 1993 energy and water appropriations bill. Facing severe budget constraints, the subcommittee has produced a bill which I believe all Members can support.

The bill is \$623.7 million below the President's request, \$43.9 million less than last year's appropriation and falls within the subcommittee's 602(b) allocation. To get to this point, the subcommittee had to make some tough decisions, such as providing no new funding for new preconstruction engineering or construction projects for the Corps of Engineers or the Bureau of Reclamation. The subcommittee also funded no major new construction under the Department of Energy's domestic programs or other new initiatives.

Many important projects were not funded in the bill, including a number in my home State and district. But the subcommittee has demonstrated the kind of leadership and discipline so needed in Congress.

I know this has been a painful and difficult process for the subcommittee members. What has emerged from that process is a bill that is fiscally responsible and fair. At a time when the country is calling out for leadership, this subcommittee has shown it. I commend the chairman, Mr. BEVILL, and the ranking member, JOHN MYERS, for their leadership and the entire subcommittee for their work. This is the first fiscal year 1993 appropriations bill to be considered by this body, and I am hopeful that it will serve as a model for how to make the tough, fiscally responsible, and fair decisions dictated by our severe budget constraints. I urge my colleagues to support it.

□ 1430

Mr. MYERS of Indiana. Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I rise to speak about my hopes for future energy and water appropriations bills. The House has just completed days of debate on the Comprehensive National Energy Policy Act, which contains significant new support for solar, geothermal, wind, and biomass technologies. My hope was that this appropriations bill would redirect our use of energy sources in a similar manner. The bill, however, fails to achieve the growth needed to sustain these fledgling industries, and in some cases, cuts fiscal year 1992 programs. I and many of my colleagues believe that it is time to reorient our spending priorities to reflect new national and global trends toward more sustainable energy practices such as discussed at the Earth summit in Rio.

Mr. Chairman, I realize that the Committee on Appropriations has an extremely difficult job to do this year. But we must redirect our scarce resources to solar thermal, wind, photovoltaics, and biofuels. Our energy future lies in these areas, both for domestic use and for export. We will cut our dependence on foreign oil and reduce carbon dioxide emissions. Renewable technologies will lead to new industries and new jobs. I will vote for passage of this bill, and I will work for increased funding for solar and other sources of renewable energy.

Mr. BEVILL. Mr. Chairman, I yield such time as he may consume to the gentleman from Mississippi [Mr. WHITTEN], our valuable and very distinguished chairman of the full committee.

Mr. WHITTEN. Mr. Chairman, I want to pay tribute to the gentleman from Alabama [Mr. BEVILL] and the gentleman from Indiana [Mr. MYERS], and my other colleagues on this subcommittee for the great job they have been doing.

As we develop the appropriation bills within our limited funding allocation, we need to take care of our real wealth, our country itself. This bill does that. This subcommittee and those who worked with it have shown good, sound judgment in investment in our own country on which all the rest depends.

Mr. Chairman, I join with my colleagues Chairman TOM BEVILL and ranking Republican JOHN MYERS, and with my other subcommittee colleagues in recommending this bill to you. This is a major bill for looking after the physical resources of our country itself—which is our real wealth. Along with the bill for agriculture, it is the foundation of our economy.

Mr. Chairman, these are investment expenditures.

It is hard sometimes to look after your own country, but the problems we have today are not the result of what we spend on our own country. We must spend on our country if we are going to

be economically strong enough to do all these other things.

Within this bill there are programs of special interest to my area and State.

For the Foothills Joint Demonstration Erosion Control Program, funds are included for work on Batupan Bogue, Otoucalofa Creek, Hotophia Creek, Hickahala and Senatobia Creeks, Long Creek, Black Creek, Burney Branch, Town Creek-Charleston, Sherman Creek, Abiaca Creek, Toby Tubby Creek, Pelucia Creek, Cane-Mussacuna Creeks, Hurricane-Wolf Creeks, and the Coldwater River.

For other ongoing construction, funds are included for the Nonconnah Creek project, the Sardis Dam—dam safety assurance, the Tombigbee River and tributaries project, the Tennessee-Tombigbee Waterway—purchase of mitigation lands, the Horn Lakes Creek and tributaries project, and the Gulfport harbor project. Funding is also included to continue the Jackson metro area study, and for the East Fork and Tennessee-Tombigbee Waterway operation and maintenance. Language is also included in the bill providing that operations and maintenance funding for Yazoo basin lakes shall be available for maintenance of roads and trails.

For the Yazoo basin, funding is provided to continue construction on the big sunflower project, the demonstration erosion control projects, the tributaries project, the Upper Yazoo projects, and for backwater mitigation lands. The reformulation study—Yazoo basin projects—is also funded as well as operation and maintenance for all completed Yazoo basin projects.

For the Tennessee Valley Authority, rural development activities are maintained at the current level. Efforts are directed at helping to eliminate the economic hardships in the valley's rural areas.

For the Appalachian Regional Commission, funding for the highway program and area development activities is at nearly last year's level. This funding supports continued construction of corridor V.

Funding in this bill also continues a cooperative agreement between Jackson State University, Lawrence Berkely Laboratory, and Ana G. Mendez Educational Foundation, an ongoing program.

Mr. Chairman, this is a good bill and I urge that it be adopted.

Mr. MYERS of Indiana. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Chairman, I rise in strong support of this legislation. This Member would like to take the opportunity to thank the chairman and the ranking minority member of the House Appropriations Subcommittee on Energy and Water Development. The distinguished gentleman from Alabama [Mr. BEVILL] and the distin-

guished gentleman from Indiana [Mr. MYERS] have been longtime supporters of water projects that are very important to Nebraska.

Mr. Chairman, this Member formally recognizes and expresses appreciation that this appropriations bill does provide important funding for several Missouri River projects which are designed to remedy problems of erosion, loss of fish and wildlife habitat, and sedimentation. By appropriating an additional \$2 million for the item over the President's request for a four-State area, Nebraska, Iowa, Kansas, and Missouri—for a total of \$7,600,000—the committee makes an important commitment to a long delayed effort to reconstitute fish and wildlife habitats lost on the Missouri River through its channelization and stabilization. Also, the bill provides \$156,000 for a minimal effort to remedy erosion problems and preserve the river's recreational and scenic potential. Finally, the bill provides \$250,000 and \$100,000 respectively, for a much-needed study of sedimentation problems at Lewis and Clark Lake and the completion of the Missouri River Master Water Control Manual.

In addition, the committee meets the President's request for several other important projects vital to Nebraska's residents. The committee bill provides \$106,000 for a floodplain study of the Antelope Creek which runs through the heart of our capital city, Lincoln. It appropriates \$4,535,000 and \$763,000 respectively, for the operation and maintenance of Gavins Point Dam between South Dakota and Nebraska and for the Salt Creek and its tributaries in east-central Nebraska. By allocating \$32,000 to Washington and Burt Counties at this Member's request, those sums will assist local sponsors properly allocate costs for current and future water projects in the area.

Finally, Mr. Chairman, this Member would like to express his support for this bill's funding of the following water projects throughout the State of Nebraska. By funding the Army Corps' projects on the Papillion Creek and its tributary lakes, Wood River, and Harlan County Lake, as well as Bureau of Reclamation projects at North Loup, the Bostwick division, and the Farwell unit, the committee has reaffirmed its strong support of these important Nebraska water projects in the other two Nebraska congressional districts which are not represented by this Member.

Again, Mr. Chairman, this Member would like to thank the gentleman from Alabama [Mr. BEVILL] and the gentleman from Indiana [Mr. MYERS], other members of the subcommittee and full committee, and their staff members for their continued support and assistance on these important water projects. Continued funding of these projects is absolutely necessary to ensure that people in Nebraska and every other State can continue to use

and enjoy our precious ecological, soil, and water resources in an environmentally sound manner and that feasible and affordable flood protection is provided to the areas affected by several of these projects.

Mr. BEVILL. Mr. Chairman, I yield 1 minutes to our friend and colleague, the gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I applaud the leadership of the gentleman from Alabama and the gentleman from Indiana in bringing this bill to the floor today.

I could not help but think of this bill this morning as we listened to the President of the Russian Republic as he lauded the benefits of freedom but referred in his remarks to a statement that I think deserves to be quoted here when he said:

Even the most benevolent intentions will inevitably be abandoned and committed to oblivion if they are not translated into a multitude of everyday jobs.

The actions of this committee over the years have supported investments in agricultural, energy products, industrial, recreation, residential, water supply, flood control, inland waterways, all public investments essential for economic growth.

Just in the last 12 years, we reviewed my own projects in my own district. This committee has invested \$326,724,000 in the First Congressional District that has produced more economic return than that investment during that time.

The investments were done within the President's budget, I would add. I have asked unanimous consent earlier during the day to include a table which compares those investments, and I am including them in the RECORD.

Mr. Chairman, I rise in support of this bill which provides funds to make job-creating investments here in America.

I think we should never lose sight of the fact that these investments return money to the Treasury by promoting economic growth—in my State of Arkansas and throughout the Nation.

I was impressed this morning to hear Mr. Yeltsin, President of the Russian Federation, say "even the most benevolent intentions will inevitably be abandoned and committed to oblivion if they are not translated into a multitude of everyday jobs".

Certainly that is true. It is also a very appropriate sentiment as it relates to the legislation we are now discussing.

What this legislation represents is job creation and economic activity, ensuring that we do not consign our benevolent intentions to oblivion, but that we translate them into a multitude of everyday jobs.

Projects of the sort contained in this bill have been vital to the development of the district which I represent.

During the last 12 years, in fact, \$326.7 million has been provided for Corps of Engineers projects benefiting my district.

I will include a table in the RECORD which outlines those investments.

This money has been used, for example, to build a new slackwater harbor at Helena. It has been estimated that as many as 30,000 jobs could be created over the long-term by this project, returning more money to the Treasury than it will cost to build the harbor.

The harbor is like so many other worthwhile undertakings in that it resulted from a strong local, State and Federal partnership.

Without the participation of any one of the three partners, there would be no harbor at Helena and the prospect of new jobs would be extinguished.

Federal investments are especially important to a capital poor State such as Arkansas. Frankly, our road to progress would be blocked without them.

I know that critics brand public works projects as pork barrel spending, but I disagree. They can call it pork all they want, but I call it progress.

Such criticism represents a one dimensional and shortsighted view, since it does not take into account the income generated by these projects.

Mr. Chairman, it is important to remember that while Congress has kept money flowing to these job-creating projects, we have been making tough choices and setting priorities. We have not been spending money like a drunken sailor. During the last 12 years Congress has appropriated \$22.7 billion less than Presidents have requested in their budgets.

The very bill we are considering today comes in well under both President Bush's request and is even under the amount appropriated in last year's bill. This could not have happened without making hard, tough choices.

Mr. Speaker, I am including a table which demonstrates this point.

Project name	Cumulative amount
1. Batesville, Arkansas flood control levee	\$347,000
2. Bell Foley Lake, Arkansas	25,000
3. Cache River Basin, Arkansas	1,397,000
4. DeValls Bluff Pumping Station, Arkansas	450,000
5. Eastern Arkansas Region (Comprehensive Study)	3,444,000
6. Eight Mile Creek, Arkansas	2,551,000
7. Greers Ferry Lake, Arkansas	47,011,000
8. Helena & Vicinity, Arkansas (flood control)	2,115,000
9. Helena Harbor, Phillips County, Arkansas (new slackwater harbor)	18,900,000
10. Helena Harbor, Arkansas [operation and maintenance of the existing harbor]	4,758,000
11. L'Anguille River, Arkansas	5,425,000
12. Lower White River (Big Creek and Tributaries), Arkansas	1,993,000
13. Lower White River (Augusta to Clarendon Levee), Arkansas	10,000
14. Lower White River (Clarendon Levee), Arkansas	10,000
15. Osceola Harbor, Arkansas	6,519,000
16. St. Francis Basin, Arkansas and Missouri, Consolidated Construction	115,270,000

Project name	Cumulative amount
17. St. Francis River Basin, Arkansas and Missouri Operations and maintenance	66,934,000
18. St. Francis Basin Below Wappapello Lake, Arkansas and Missouri	2,289,000
19. St. Francis River, Fish and Wildlife, Arkansas and Missouri	1,290,000
20. St. Francis River Navigation	109,000
21. Village Creek Taylor Bay, Arkansas	70,000
22. West Memphis & Vicinity, Arkansas (flood control)	10,218,000
(Berm, Mississippi River levee system \$2,000,000)	
23. White River Basin Authorization Report, Arkansas and Missouri	1,542,000
24. White River, Arkansas (navigation channel)	25,210,000
25. White River Backwater, Arkansas	7,787,000
26. White River and Tributaries, Arkansas and Missouri	200,000
27. Whiteman's Creek, Arkansas	850,000
Total	326,724,000

I would urge that, even in these times of tight budgets, we not neglect our own people—and that Federal investments in America take priority over such things as foreign aid.

I would like to include a table showing the job-creating investments in the First District of Arkansas.

REGULAR ANNUAL, SUPPLEMENTAL, AND DEFICIENCY APPROPRIATION BILLS—COMPARISON OF ADMINISTRATION BUDGET REQUESTS AND APPROPRIATIONS ENACTED

Calendar year:	Administration budget requests	Appropriations enacted	Difference (under -) (over +)
1945	\$62,453,310,868	\$61,042,345,331	-\$1,410,965,537
1946	30,051,109,870	28,459,502,172	-1,591,607,698
1947	33,367,507,923	30,130,762,141	-3,236,745,782
1948	35,409,550,523	32,699,846,731	-2,709,703,792
1949	39,545,429,108	37,825,026,214	-1,720,502,894
1950	54,316,658,423	52,427,926,629	-1,888,731,794
1951	96,340,781,110	91,059,713,307	-5,281,067,803
1952	83,964,877,176	75,355,434,201	-8,609,442,975
1953	66,568,694,353	54,539,342,491	-12,029,351,862
1954	50,257,490,985	47,642,131,205	-2,615,359,780
1955	55,044,333,729	53,124,821,215	-1,919,512,514
1956	60,892,420,237	60,647,917,590	-244,502,647
1957	64,638,110,610	59,589,731,631	-5,048,378,979
1958	73,272,859,573	72,653,476,248	-619,383,325
1959	74,859,472,045	72,977,957,952	-1,881,514,093
1960	73,845,974,490	73,634,335,992	-211,638,498
1961	91,597,448,053	86,606,487,273	-4,990,960,780
1962	96,808,292,115	92,260,154,659	-4,548,137,456
1963	98,904,155,136	92,432,923,132	-6,471,232,004
1964	98,297,358,556	94,162,918,996	-4,134,439,560
1965	109,448,074,896	107,037,566,896	-2,410,508,000
1966	131,164,926,586	130,281,568,480	-883,358,106
1967	147,804,557,929	141,872,346,664	-5,932,211,265
1968	147,908,612,996	133,339,868,734	-14,568,744,262
1969	142,701,346,215	134,431,463,135	-8,269,883,080
1970	147,765,358,434	144,273,528,504	-3,491,829,930
1971	167,874,624,937	165,225,661,865	-2,648,963,072
1972	185,431,804,552	178,960,106,864	-6,471,697,688
1973	177,959,504,255	174,901,434,304	-3,058,069,951
1974	213,667,190,007	204,012,311,514	-9,654,878,493
1975	267,224,774,434	259,852,322,212	-7,372,452,222
1976	282,142,432,093	282,536,694,665	+394,262,572
1977	364,867,240,174	354,025,780,783	-10,841,459,391
1978	348,506,124,701	337,859,466,730	-10,646,657,971
1979	388,311,676,432	379,244,865,439	-9,066,810,993
1980	446,690,302,845	441,290,587,343	-5,399,715,502
1981	541,827,827,909	544,457,423,541	+2,629,595,632
1982	507,740,133,484	514,832,375,371	+7,092,241,887
1983	542,956,052,709	551,620,505,328	+8,664,452,619
1984	576,343,258,980	559,151,835,396	-17,191,423,584
1985	588,698,503,939	583,446,885,087	-5,251,618,852
1986	590,345,199,494	577,279,102,494	-13,066,097,000
1987	618,268,048,956	614,526,518,150	-3,741,530,806
1988	621,250,663,756	625,967,372,769	+4,716,709,013
1989	652,138,432,359	666,211,680,769	+14,073,248,410
1990	704,510,961,506	697,257,739,756	-7,253,221,750

REGULAR ANNUAL, SUPPLEMENTAL, AND DEFICIENCY APPROPRIATION BILLS—COMPARISON OF ADMINISTRATION BUDGET REQUESTS AND APPROPRIATIONS ENACTED—Continued

	Administration budget requests	Appropriations enacted	Difference (under —) (over +)
1991	756,223,264,591	748,262,835,695	-7,960,428,896
Total	11,710,201,833,552	11,521,432,604,188	-188,769,229,364

Note.—Prepared by House Committee on Appropriations.

Mr. MYERS of Indiana. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER], with whom we work very closely, with the authorizing committee.

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, this is an auspicious start to the appropriation season, because this particular bill, I think, says a lot about the kind of attitude we ought to have on appropriations.

No. 1, it comes in here less than last year's bill. It comes in under the President's budget. So, therefore, it is an example of this committee having made very tough choices, and knowing something about some of the programs that they are dealing with, I know how tough those choices were.

When you look at something like the superconducting super collider, which they held at a freeze level, I will tell you that is a tough choice, because they know, as we know on the authorizing committee, that what that means is that you probably are increasing costs in the outyears simply because you have taken it off schedule, but, you know, if you are going to hold within the budget levels that we have decided, that is something that has to be accommodated in this budget.

So this committee has done some very responsible work in that regard.

I also want to thank the committee for working with the authorizers. I think there has been a spirit of accommodation and relationship here which has been very positive. We have been able to pass out of the House some authorization figures. The committee worked very hard to stay with those authorized figures and work with us. That is the kind of accommodation I think will serve this House well.

We on the authorizing committees put a lot of time and effort into trying to decide what the priorities are. To have the appropriators working with us and accommodating some of that, I think, produces good legislation. So I am very pleased with many aspects of this bill.

We are going to have some amendments where we will be in here, but I do not think even those are going to be adversarial, because I think a lot of that has been worked out.

I thank the gentleman from Indiana for the time and his work and the gentleman from Alabama for the hard work he put in on the bill.

□ 1440

Mr. BEVILL. Mr. Chairman, I yield 3 minutes to our good friend and col-

league, the gentleman from California [Mr. FAZIO], the ranking member of this subcommittee.

Mr. FAZIO. Mr. Chairman, I want to thank the gentleman from Alabama [Mr. BEVILL] and the ranking member, the gentleman from Indiana [Mr. MYERS] once again for an outstanding job.

I also want to say I really find it a pleasant opportunity to follow my friend, the gentleman from Pennsylvania [Mr. WALKER], because for the first time that I can remember I am in complete agreement, and in harmony, as a matter of fact, with his comments. I think it is because the committee has done such an outstanding job of staying within the budget requirements.

Let us be honest. Our President asked this committee to spend \$439 million more in the domestic discretionary area than last year, and the committee did not accommodate that, given the restraints that we impose on ourselves right here in the Congress.

In fact, this committee is almost \$40 million below last year on domestic discretionary spending. In fact, when you add the domestic and the defense aspects of our bill, we are \$630 million under the total bill that was requested by the President. We have made real and significant cuts in this bill. I know there will be Members who will not be happy about that, because we cannot have it both ways. If we are going to put a tight package together, it will bear down on some individuals and some excellent projects.

In fact, overall this committee was confronted with requests by our colleagues for \$350 million more in the Corps of Engineers, \$80 million more in the Bureau of Reclamation, and some \$600 million in additional energy projects.

We have obviously not been able to accommodate those add-ons, however, well-intentioned and well-motivated they may have been from individual Members and stay within the budget restrictions and the 602(B) allocation we received from our full committee.

How have we done this? It has not been easy. If you look at the budget of the Corps of Engineers, we said no new construction starts, including projects requested by the administration.

No new preconstruction engineering and design projects, including those requested by the administration.

No new major rehabilitation initiatives, including projects requested by the administration.

We have held our administration costs or administrative expenses at the

1992 level. There may well be additional amendments on that score later on.

The regulatory program has been held at that 1992 level.

In fact, I think it is fair to say we did a similar kind of thing with the Bureau of Reclamation.

In the Department of Energy, we are required and I think we will hear a lot more about this today, to adhere to a much tighter budget for the SSC, \$166 million, to bring the level down to where it would have to be in order for our bill to come to the floor today with any hope of success.

I might add, it is also required for us to have any success for the SSC to remain in the bill. It is a right level of funding, but it is a level we must have, if we expect this bill to be signed.

Despite numerous requests for increases in the solar budget, and I am sure I am included among those who made those requests, we held it at the President's budget level of \$181 million. Our nuclear programs were reduced to \$304 million, which is 10 percent below the 1992 level.

The President's budget for basic energy and sciences were reduced by some \$49 million to the 1992 level.

Magnetic fusion was reduced by \$20 million.

So I think you can see in program areas after program areas we have had to do a tight, but I think fair funding job.

I want to thank once again the leadership of this committee, because they bring to the floor today a bill that ought to be passed overwhelmingly by what I think should be a grateful group of members of both the caucus and the conference.

Mr. Chairman, this was, beyond any doubt, the toughest bill that I have been involved in in my 12 years on the committee. We have no new construction starts in this bill. We have no new preconstruction and engineering starts. We have no new major initiatives and we have no new programs funded in this bill.

What we have done, however, is continue funding, at reasonable rates, our ongoing priorities for the Corps of Engineers, the Bureau of Reclamation, the Department of Energy, and the other independent agencies within our jurisdiction.

And we have maintained these priorities and our ongoing programs and done so while producing a bill that is not only some \$630 million under the president's budget request but \$40 million under the amount we appropriated for these programs in fiscal year 1992.

So, while no one is completely happy with our product here, again, it is a fair, balanced, and responsible bill.

One of the priorities that we have been able to maintain includes our commitment to solar and renewable energy programs.

While I certainly was among those who advocated a higher funding level, the programs were funded at the President's budget request.

All of the other energy technologies were either cut below the levels requested by the administration.

I would also like to point that the bill as it comes before the House contains significant investments in much needed flood control and water supply projects which are critical to communities throughout the Nation.

Mr. Chairman, I would also like to take this opportunity to commend the good work of the chairman of the Energy and Water Subcommittee, Mr. BEVILL; Mr. MYERS, the ranking minority member; and the subcommittee's dedicated staff. They have done an outstanding job over the years in putting together a balanced bill, and this year is no different.

Mr. Chairman, I would especially like to thank Mr. BEVILL and Mr. MYERS for their assistance in many varied needs of California. The bill is very generous to a number of key energy and water projects throughout the State of California, including a number of important projects in my district.

For example, the bill continues to support the efforts of the Corps of Engineers to address the flood threat to Sacramento and parts of Yolo County. The bill contains funds that will help us improve the operation of the massive central valley project in California, making the project more protective of the environment and thereby helping to ensure that the CVP can continue to meet its critical flood control and water supply purposes.

And, the bill continues to support a strong role for the Corps of Engineers in wetlands restoration, particularly in the central valley of California, where we have seen 98 percent of the historical wetlands destroyed over the years.

The bill—through its support for the SSC, general science, and other nuclear and high energy physics research—will also help maintain our Nation's position as a world leader in science and technology.

And, we have made every effort to ensure that adequate funds are available to continue the cleanup of toxic and hazardous materials from our DOE facilities across the country. The bill contains a 25-percent increase in funding for DOE environmental restoration and waste management activities—\$4.7 billion provided in fiscal year 1992.

Again, Mr. Chairman, I thank Mr. BEVILL and Mr. MYERS for their cooperation and support, and their sensitivity to the many water development and energy-related problems facing the Nation. I urge my colleagues to support the bill.

Mr. MYERS of Indiana. Mr. Chairman, I yield 3 minutes to the gentleman from Nevada [Mrs. VUCANOVICH], a member of the Committee on Appropriations.

Mrs. VUCANOVICH. Mr. Chairman, I would like to commend Chairman BEVILL and ranking member JOHN MYERS for their hard work on this bill. I understand the difficulty in crafting the

bill considering the budget constraints they were faced with this year.

I was pleased that the full committee accepted my amendment to increase the allocations to the State of Nevada and the affected local governments out of the nuclear waste disposal fund. My amendment increased from \$5 million to \$5.7 million the allocation to affected local governments for socioeconomic studies of the impacts of the repository on the counties.

Nevada's parallel site characterization studies are vital to the credibility and safety of the program and must continue to be adequately funded.

However, Mr. Chairman, it is unfortunate that the 1-year ban on nuclear testing is included in this bill. This authorizing language simply does not belong in an appropriations bill and should never have been protected against a point of order by the Rules Committee. We all know that if this ban remains in the bill the legislation very well could be vetoed.

Mr. Chairman, yesterday Presidents Bush and Yeltsin agreed to the most drastic cuts in nuclear weapons ever proposed. I praise them for this historic step. However, the fact remains that we will still retain a certain amount of nuclear weapons. As long as there is a need for a nuclear deterrent and as long as we possess nuclear weapons we must test to ensure their safety and reliability. The cold war may be over, but the United States must continue its own testing to protect its national security interests and to discourage the proliferation of nuclear weapons by other countries.

Mr. Chairman, on the whole this is a fair bill. However, as long as the test ban remains in the bill I cannot support the bill and urge my colleagues to vote "no" on final passage.

Mr. BEVILL. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. BROWN], the distinguished chairman of the Committee on Science, Space, and Technology.

Mr. BROWN of California. Mr. Chairman, I rise in support of H.R. 5373, and I want to commend the distinguished chairman of the subcommittee, Mr. BEVILL, and the ranking minority member, Mr. MYERS, for their work in crafting this bill and making difficult choices. It is no secret that this will be a difficult year for the appropriations process; the resources available are simply not sufficient to fund all of the programs that enjoy wide support in the Congress. I know that it is particularly frustrating that the bill can fund no new starts for needed programs; but I think the gentleman has taken the appropriate course in that decision. We need to fully fund and complete the commitments we already have before taking on significant new funding obligations.

As the chairman of the Committee on Science, Space, and Technology, which authorizes much of the Department of Energy civilian programs for which funds are appropriated in this bill, I would have preferred a slightly different emphasis on different programs. In particular, I would have hoped for a greater increase in solar and renewable R&D and higher funding for basic energy sciences, which includes several high-priority initiatives critical to U.S. competitiveness, such as biotechnology, advanced materials, and high-performance computing. Given the constraints faced by the committee, however, on balance I am satisfied with the bill as reported.

I very much appreciate the cooperation extended to our committee by the gentleman from Alabama and his commitment to continuing to work with us through the conference process to more closely reflect the priorities of the authorizing committee as reflected in the House passage of H.R. 776.

In addition, I note that the committee transfers about \$50 million for science education to the defense side of the agency, and would like to engage the distinguished chairman in a colloquy on that point.

I would like to clarify the intent of the transfer of appropriations from the Department of Energy's civilian university and science education programs within the energy supply research and development account to the defense programs.

It appears that the tables in the report (H. Rept. 102-555) accompanying the bill contain an entry which reduces the support for university and science education at the civilian laboratories by \$52.4 million and transfers these funds to the defense programs. Is it the gentleman's intent to terminate the education programs at the civilian laboratories?

Mr. BEVILL. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Alabama.

Mr. BEVILL. Mr. Chairman, in response to the gentleman's question, the answer is no.

Mr. BROWN of California. And is it the intent of the bill that the university and science education program currently ongoing at the nondefense laboratories would continue to be funded within the money appropriated?

□ 1450

Mr. BEVILL. The gentleman is correct. That is our intent.

Mr. BROWN of California. I certainly do appreciate that response. I assure the gentleman of my support for the legislation, and we will do everything possible to make sure that this bill is passed by the House in the form in which it is brought to the floor.

Mr. MYERS of Indiana. Mr. Chairman, I yield 3 minutes to the gen-

tleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. I thank the gentleman for yielding this time to me.

Mr. Chairman, I want to take the well of the House at this point in time to first and foremost thank the distinguished chairman of the subcommittee, the gentleman from Alabama [Mr. BEVILL], and the distinguished ranking member, the gentleman from Indiana [Mr. MYERS], and their staffs, especially their staffs, for the patience they have shown with me and my staff's phone calls.

But I also want to say that I think it is important at this point in time to share with the House what this subcommittee has done.

My colleague, the gentleman from Pennsylvania [Mr. WALKER], came down here and said, "Look, ladies and gentleman, it can be done." This subcommittee has brought to us the first funding bill for fiscal year 1993, \$623 million below the President's request, \$43 million below last year's appropriation.

We can move toward a balanced budget.

Second, what this subcommittee has done is they have shown us that you can indeed within that process establish priorities. I know every one of us has our own list of Christmas toys we would like to have received, but I do not know that any of us can stand down here and criticize this subcommittee for making the decision that those projects that are underway in construction ought to receive first priority for completion.

Third, what this subcommittee has done in this bill is they have said to us that the Energy and Water Committee can lead the way, not only in construction projects, Mr. Chairman, but in the compatibility of construction projects with environmental causes.

Obviously, I am delighted with the \$19.4 million that they have appropriated for the Environmental Management Program of the five States of the upper Mississippi River. But I want you all to know that this program is significant because this is the first time anywhere in the world where a construction group such as the Army Corps of Engineers is also taking the lead in environmental rehabilitation of that same navigation waterway.

The upper Mississippi River is a multiuse river. It was recognized under the great studies and other programs that if we are going to save that river for navigation, for recreation, for fish and wildlife habitat, that we have to have a comprehensive management program over the long term.

This committee, under the greatest of pressure, saw the need to fund this program and to make it happen, and, as a result, today we see for the second year in a row the administration and the President have asked for full fund-

ing of the Environmental Management Program and, under the context of those parameters which I suggested earlier, the Energy and Water Subcommittee has brought forth that funding.

Mr. Chairman, I commend them for what they have done and thank them for their commitment to this Nation and for our rivers' future.

Mr. MYERS of Indiana. Mr. Chairman, I yield 3 minutes to my colleague, the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. I thank the gentleman for yielding this time to me.

Mr. Chairman, I would like to add my praise, if you will, to the committee for staying within the budget; \$40 million below last year and \$623 million below the President's request.

However, there still are some pork-barrel projects in this bill that ultimately will cost the taxpayers of this country \$680.7 million if they are approved. There is \$8 billion in this bill that is above the administration's request for general investigations. There are four projects that I am concerned about. I will be proposing amendments on three of them. One I could not get to because it is in the report language.

But the three projects that I am talking about that are pork-barrel projects, two of them are in Chicago and one in Texas, and I will be debating those at some length when we get into the amending process of the general debate.

The reason I wanted to take 3 minutes right now, however, is because I want everybody in the Chamber and in their offices to understand one thing, and that is that the country has to prioritize spending because we are on the road to financial disaster.

The national debt is \$4 trillion-plus, but that does not include the unfunded liabilities that are off budget, totaling \$2.5 trillion. We are actually \$6.5 trillion in debt.

Most economists tell us that if we stay on the same basic spending trend we are on right now, we will go another \$7 trillion into the tank by the year 2000.

Peter Grace, who headed the Grace Commission, said that by the year 2000 the interest payments on the national debt would be over 100 percent—over 100 percent—of the personal income taxes collected in this country; 102 percent, to be exact.

What we are saying is we will not be bringing in enough in personal income taxes to pay the interest on the national debt.

So we are at the fork in the road, if you will. We have to start deciding whether or not we are going to make the hard choices to bring this budget into balance or are we going to be on the road to fiscal calamity and disaster that is going to leave the young people in the galleries today without any hope

of a sound economic future, many without jobs? We have to come to these hard decisions now.

We are going to be talking about three amendments on this bill which do not amount to that much overall, about \$600-some million in the long run, but it is a step in the right direction.

So I urge my colleagues to listen very carefully to the debate on those amendments, and I hope I can garner some support for them.

Mr. BEVILL. Mr. Chairman, I yield 1 minute to our colleague, the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise, too, to applaud the gentleman from Alabama [Mr. BEVILL] and the gentleman from Indiana [Mr. MYERS] for their hard work on this bill.

Mr. Chairman, last year I rose in support of the superconducting super collider because of the efforts, the real true science, the research strategies and bargains that it brings back to this country. And I intend to support it this year, with some reservations.

There are more and more things that worry me about this and more and more things about the superconducting super collider that seem to be a catch-22 working against itself. I want to associate myself with my chairman's very astute comments, the gentleman from California [Mr. BROWN].

Mr. Chairman, I have an amendment that would say that foreign contributions made to the superconducting super collider have to be made in cash and not in lieu of technology and equipment, thereby costing the American people jobs, eroding our manufacturing base, and hurting our people in this country.

Also, the House, working with the Energy Cabinet head back in 1985, passed an amendment to an authorization bill capping this at \$5 billion. It continues to go up and up and up.

I am hopeful that we can address a couple of these concerns, the technology transfer and jobs in this country.

Mr. MYERS of Indiana. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. I thank the gentleman for yielding this time to me.

Mr. Chairman, first of all, I wish to commend the chairman of the subcommittee, the gentleman from Alabama [Mr. BEVILL] and the ranking member, the gentleman from Indiana [Mr. MYERS]. As usual, they have performed magnificently, and we have a bill before us that is below the President's budget request, below the amount we spent last year.

That is the type of leadership this Nation needs if we are going to be serious about getting our fiscal house in order.

But, Mr. Chairman, I say to all of you the moment of truth is here and now. Last week, more than 280 of us stood up proud and tall and we said to the American people that we are serious about balancing the budget.

Then all of us hastened to add, "And we are also serious about not raising taxes." No, no, that dreaded "t" word, we do not want to touch that one.

So, we want to balance the budget, and yet we refuse to address the need to raise revenue. How do we do it? Well, I will tell you how we can do it. We can do it by once and for all being very serious about establishing priorities; proceed, move forward with that which is essential and defer that which is only desirable.

Now, some people might say, "How can you ask me to support a proposal to eliminate funding for the superconducting super collider? After all, I have supported it in the past," they would say.

The answer to that question is very simple: circumstances change.

□ 1500

Within the past few hours in this very Chamber, right there at that podium, stood the President of Russia, the President of Russia who concluded his speech by saying, "God bless America."

Do circumstances change? I say to my colleagues, "You bet they do, and let me tell you about the changed circumstances involving the superconducting super collider."

When this venture started out, just 4 or 5 years ago, it was going to be a \$4 billion project. Where is it now? At least a 100-percent increase. It is now over \$8 billion, and I say to my colleagues, "We ain't seen nothing yet."

An in-house estimate in the Department of Energy; in-house now, and this is not for wide publication so the world will know; they keep it in-house. It said over \$11 billion it is going to cost the American people, and I would remind all my colleagues that by an overwhelming vote 2 years ago we said:

First, we are going to cap the Federal expenditure at \$5 billion, not a penny more; and, second, we are going to require, require, foreign participation of at least 20 percent of the total cost. After all, we reasoned, why should we continue to foot the bill ourselves and let everyone take advantage of it? So, we imposed a ceiling, and we imposed a floor.

Where are we now? We have exceeded the ceiling. We are \$600 million over.

My colleagues might say that is not much money. I happen to think it is a lot, and so do the American people.

Where are we with foreign contributions? Not one penny.

But wait a minute. We have got a pledge of \$10 million from India. We have not seen a penny of it, but we have got a pledge, and the Albanians

are coming. The Albanians; get that one, say they might come up with \$30 million.

Mr. Chairman, this is serious business, and I hope my colleagues will give serious consideration to Eckard-Boehlert.

Mr. BEVILL. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. CHAPMAN], a distinguished member of this subcommittee.

Mr. CHAPMAN. Mr. Chairman, I thank the gentleman from Alabama [Mr. BEVILL] for yielding this time to me, and I want to take this 2 minutes to thank him and my subcommittee colleagues on both sides of the aisle for what I think is a productive, thoughtful and responsible bill, the first appropriation bill that we will deal with for fiscal year 1993.

As my chairman pointed out, this subcommittee heard requests from over 100 Members of Congress, over 300 witnesses, spent months listening to testimony, examining reports, in an attempt to determine and draft a bill that would be both responsible fiscally and responsible in taking care of the needs of this country. Other Members have already detailed how the bill has come in well under both the President's request and last year's funding, and it does not take a genius to know that in times of even modest inflation what this subcommittee has done has cut appropriations, cut real spending for programs, all across this country.

Mr. Chairman, that is not an easy thing to do, so I say to my colleagues, "I truly believe it is the responsible thing to do. I believe, as we have continued debate on this bill, as we develop issues and amendments that may be offered, that my colleagues will recognize and realize that some of their colleagues, over hundreds and hundreds of hours of testimony and examination of reports, have crafted a bill that we bring now to the floor of this House and ask you to support, not just the superconducting super collider, which gave it the office and gave it a home and was cut some \$167 million from the President's request, but other critical funding as well."

Mr. Chairman, the projects in this bill are needed projects, thoughtful projects, projects that are investments in the future of America, projects that we in this body ought to support. I urge that this entire House support this bill and commend the leadership of my committee, the gentleman from Alabama [Mr. BEVILL] and the gentleman from Indiana [Mr. MYERS], for their countless hours and thoughtful work product in preparing this product for us today.

Mr. BEVILL. Mr. Chairman, I yield 2 minutes, the balance of my time, to the gentleman from Texas [Mr. FROST].

Mr. FROST. Mr. Chairman, I rise in support of H.R. 5373, the fiscal year 1993 energy and water development appro-

priations bill, and the level of funding it provides for the superconducting super collider.

For fiscal year 1993, \$484 million has been provided for the SSC. This funding is critical in order to maintain the progress we have achieved to date in building this important scientific instrument.

Let me highlight some of the work that's been going on during the last year.

The first full-sized prototypes of magnets vital to the SSC were successfully tested at Brookhaven National Laboratory in New York, and the Fermi National Accelerator Laboratory in Illinois. These tests marked an important milestone for the project, as some had questioned whether the magnets, which are the key components of the accelerator, would work. The fact is, they do work.

Also, last summer the first underground excavation began with the boring of a 265-foot shaft that will allow examination of the characteristics and stability of the underlying geological structures in the area. Data obtained will provide the basis for designing and constructing several tunnel sections and the experimental halls, which will house the detectors.

Other construction work is progressing rapidly, as well. Already in place are key facilities necessary to support construction of the SSC. The magnet development laboratory was completed last year. It is being utilized to develop and test specialty magnets, and manufacture superconducting cable. Also, the accelerator systems string test facility was completed and is being readied to conduct an above-ground string test of the magnets next month. Additionally, the ASST shelter will simulate the actual collider tunnel environment and so will allow testing of operational conditions, installation tools, and procedures.

A refrigeration system so powerful it can cool a 300-foot-long string of 15-ton magnets to near absolute zero has been successfully installed and tested at the laboratory. At this low temperature, the coils of the magnets are superconductive, which allows for achievement of highly efficient and powerful magnetic fields.

Underground construction on an even larger scale is not far behind. A contract has been awarded for the construction of the first section of the collider tunnel. Excavation of the first tunnel access shaft will soon be completed. A tunnel boring machine will be lowered through the access shaft to begin the tunneling process later this summer.

Finally, the contract for construction of the first stage accelerator in the booster complex has been awarded. Work on this portion should begin this summer, as well.

The SSC is no longer merely a dream, but is now in fact a concrete and steel

reality. Buildings are going up, dirt is being moved, and developmental work is advancing at a steady clip. Let us continue the progress on this investment in American's future. I urge my colleagues to support the SSC by supporting the committee's position for fiscal year 1993.

Mr. PANETTA. Mr. Chairman, I rise in support of H.R. 5373, the energy and water appropriations bill for fiscal year 1993. This is the first of the 13 annual appropriations bills to be reported to the House.

This bill provides \$11,887 million in defense discretionary budget authority and \$11,731 in defense discretionary outlays, which is \$1 million below the 602(b) subdivision for budget authority, and at the 602(b) subdivision for outlays for this subcommittee.

This bill also provides \$9,948 million in domestic discretionary budget authority and \$9,577 million in domestic discretionary outlays, which is at the 602(b) subdivision for budget authority, and \$1 million below the 602(b) subdivision for outlays for this subcommittee.

As chairman of the Budget Committee, I will continue to inform the House of the impact of all spending legislation. I will provide a Dear Colleague letter describing how each appropriations measure compares to the 602(b) subdivision for that subcommittee.

I look forward to working with the Appropriations Committee in the future and commend the committee for the work they have done in adhering to the limits set forth in the budget agreement and the 1993 budget resolution.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, June 15, 1992.

DEAR COLLEAGUE: Attached is a fact sheet on H.R. 5373, the Energy and Water Development Appropriations Bill for Fiscal Year 1993, scheduled to be considered Wednesday or any day thereafter, subject to a rule being adopted.

This is the first of the annual thirteen appropriations bills for Fiscal Year 1993. The bill is \$1 million below both the discretionary budget authority and outlay 602(b) spending subdivisions for this subcommittee.

I hope this information will be helpful to you.

Sincerely,

LEON E. PANETTA,
Chairman.

[Fact Sheet]

H.R. 5373, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, FISCAL YEAR 1993 (H. REPT. 102-555)

The House Appropriations Committee reported the Energy and Water Development Appropriations Bill for Fiscal Year 1993 on Thursday, June 11, 1992. This bill is scheduled for floor action on Wednesday, June 17, or any day thereafter, subject to a rule being adopted.

COMPARISON TO THE 602(b) SUBDIVISION

The bill provides \$21,835 million of discretionary budget authority totalling the defense and domestic budget authority in the bill. The bill also provides \$21,308 million of discretionary outlays. This bill is below the discretionary budget authority subdivision and the discretionary outlay subdivision by \$1 million in budget authority and outlays.

Since the Budget Enforcement Act established defense, international affairs, and do-

mestic discretionary caps, this table compares the bill's spending in those 3 categories with the equivalent breakout of the 602(b) spending subdivisions. This bill has no international affairs spending.

COMPARISON TO DISCRETIONARY SPENDING SUBDIVISION (In millions of dollars)

	Energy and water development appropriations bill		Appropriations committee 602(b) subdivision		Bill over (+)/under (-) 602(b) subdivision	
	BA	O	BA	O	BA	O
DEFENSE DISCRETIONARY SPENDING SUBDIVISION						
Discretionary	11,887	11,731	11,888	11,731	-1	.....
Mandatory .....	.....	.....	.....	.....	.....	.....
Total	11,887	11,731	11,888	11,731	-1	.....
DOMESTIC DISCRETIONARY SPENDING SUBDIVISION						
Discretionary	9,948	9,577	9,948	9,578	.....	-1
Mandatory .....	.....	.....	.....	.....	.....	.....
Total	9,948	9,577	9,948	9,578	.....	-1

Note.—BA—New budget authority; O—Estimated outlays.

The House Appropriations Committee reported the Committee's subdivision of budget authority and outlays on June 11, 1992. These subdivisions are consistent with the allocation of spending responsibility to House committees contained in House Report 102-529, the conference report to accompany H. Con. Res. 287, Concurrent Resolution on the Budget for Fiscal Year 1993, as adopted by the Congress on May 21, 1992.

The following are the major program highlights for the Energy and Water Development Appropriations Bill for Fiscal Year 1993, as reported:

PROGRAM HIGHLIGHTS

	Budget authority	New outlays
Atomic Energy Defense Programs ¹	11,887	7,401
Army Corps of Engineers	3,564	2,439
Bureau of Reclamation	819	673
DOE General Science	1,449	913
(Superconducting Super Collider—SSC)	(484)	(339)
Energy Supply R&D	2,948	1,179
Uranium Enrichment (Gross)	1,335	939
Nuclear Waste Fund (Civilian)	275	138
Appalachian Regional Commission (ARC)	185	9
Nuclear Regulatory Commission (Gross) ²	535	375
Tennessee Valley Authority (TVA)	135	33

¹ The Atomic Energy Defense program funds are part of Function 050, National Defense, and count against the Bipartisan Budget Agreement defense target. The other accounts shown above count against the domestic discretionary target.

² The Nuclear Regulatory Commission is almost 100 percent self-financed through user fees on nuclear facilities, thus the net cost to the Federal Government is nearly zero.

Mr. HOPKINS. Mr. Chairman, I rise today in support of H.R. 5373, the energy and water appropriations for fiscal year 1993, and appreciate the difficult task of Chairman BEVILL, Representative MYERS, and the other members of the subcommittee in formulating this legislation.

However, I am extremely disappointed that an urgent and necessary project to protect Kentucky's State Capital of Frankfort has been wrongfully denied funding because it has been classified as a new construction start.

In reality, the construction of a floodwall to protect Frankfort is a half-completed project that has languished for over a half a century.

The South Frankfort floodwall is a unique and particularly urgent segment of the city's flood protection system. It protects the State Capital from severe perennial flooding which has created costly interruptions to State government operations. The last three major

floods have cost Kentucky taxpayers more than \$70 million in flood damage assistance.

The local officials in Frankfort have gone way beyond the call of duty to make completion of this floodwall project a reality. They resolved a very difficult conflict surrounding this segment of the project and have secured their cost share for its construction.

I believe that the local officials and people of Frankfort deserve more than this rationale of no new starts for congressional inaction.

I appeal to the Members of the Appropriations Committee to reconsider their decision and find a way to provide funding for this desperately needed project in the 1993 fiscal year budget.

Mr. KYL. Mr. Chairman, I rise in support of H.R. 5373, the fiscal year 1993 energy and water development appropriations bill, and I want to commend the committee on not only remaining within its budget allocation for energy and water programs, but for producing a bill that is \$44 million less than last year.

That is significant given last week's debate on a balanced budget amendment, and I hope we will see similar restraint as the remaining appropriations bills come before the House.

Mr. Chairman, this bill includes many good and important programs to my home State of Arizona, the most important of which is the central Arizona project [CAP]. The project, nearly 25 years after it was first authorized, is finally nearing completion, and the appropriation in this bill will keep the project on track.

Since it is related to the CAP, I also want to thank the committee for including report language on the Small Reclamation Projects Act loan that is required for consummation of the Fort McDowell Indian Community Water Rights Settlement Act. The committee was unable to include funding because the paperwork had not yet been cleared by the Department of the Interior, but that is just a matter of time. My hope is that, if that is completed prior to the conference with the Senate, that funding can be included at that time.

Funding has also been included for environmental mitigation of the Arizona canal diversion channel through Phoenix and Paradise Valley. This is a small amount of funding in the scheme of things, but something very important to the people who are impacted by the project. The committee's funding recommendation will allow the designated area to be restored to its previous use after the channel construction is complete.

The bill also continues funding for the Holbrook levee, a project which will alleviate serious flooding problems along the Little Colorado River. Since 1971, there have been three near-disaster flood events in the city. This project is essential, and I thank the committee for its support in moving it forward.

Mr. Chairman, notwithstanding these good things in the bill, there are provisions that cause serious concern. Those provisions primarily relate to the 1-year moratorium on nuclear weapons testing. The provision should have been ruled out of order as not germane and as legislating on an appropriations bill. Moreover, it has already been included in the DOD authorization bill.

Mr. Chairman, as long as we have a nuclear deterrent, we have got to test it in order to ensure that it is safe and reliable. Testing has

been essential as a vehicle for detecting possible weaknesses in weapon safety, effectiveness, and survivability, and in developing appropriate corrective measures for any such weaknesses. A halt to testing would create uncertainty as to the safety and credibility of the stockpile, and render us unable to make safety improvements to react to new threats. This trend could erode stability, not enhance it.

To the extent that proponents of the moratorium believe that an end to testing will somehow lead to an end to the development of these weapons by other countries, that is simply not valid. Countries, like Iraq in particular, don't care who is testing or is not testing. They are going to develop weapons to suit their own national goals.

Finally, the moratorium is just not workable. The test ban would be in place unless the President certifies that any of the Soviet Union's successor republics have violated it. There is no provision for a test by other countries such as Iraq or Iran. Dr. John Immele of the Los Alamos National Laboratory testified recently about an additional problem, noting that when he and his colleagues were visiting in Russia not too long ago, he learned that the Russians had conducted a contained nuclear explosion that the United States could not detect on our seismic sensors. In other words, the President would have no ability to certify whether or not the Russians were in compliance because they have the capability to conduct these tests in a closed container.

Mr. Chairman, I will vote for this bill today to get the bill to conference, but I hope the Senate or conference committee will delete the moratorium before returning the bill for a final vote. If not, I will have to oppose the conference report.

Mr. LAGOMARSINO. Mr. Chairman, I rise in support of H.R. 5373, the Energy and Water Development Appropriations Act for fiscal year 1993, and to compliment the chairman, Mr. BEVILL; the gentleman from Indiana [Mr. MYERS]; and the gentleman from California [Mr. FAZIO] for producing a sound bill which addresses the crucial infrastructure needs of our Nation while also taking into consideration the extremely tight fiscal situation—not an easy task but one at which your committee has always excelled.

Mr. Chairman, this bill provides funds to the Army Corps of Engineers for needed flood control, dredging, and design work for projects essential to the protection of life and property in my district. It falls within the subcommittee's 602(b) allocation, and is below last year's level, and I urge my colleagues to support the bill.

Mr. SABO. Mr. Chairman, I rise to express my support for both the 1993 Energy and Water Appropriations Act and for section 507 of that bill, which essentially prohibits the United States from conducting any nuclear tests during fiscal year 1993, unless the President determines that any of the former Soviet Republics have first conducted a nuclear test.

This provision was adopted by the Appropriations Committee at the urging of Representatives FAZIO, GREEN, and myself. It is very similar to the nuclear testing provision adopted on the 1993 Defense Authorization Act by a vote of 237-167.

I know that some Members continue to oppose limits on nuclear testing, but in my view

there are many reasons to adopt a temporary ban on testing, and no real reason why the 1-year moratorium we have proposed should not be approved.

First, a test ban will help stop the spread of nuclear weapons, primarily by strengthening efforts to renew the Nuclear Nonproliferation Treaty [NPT], which expires in 1995. Recent Iraqi and Korean efforts to develop nuclear weapons were made more difficult by the NPT. This treaty is essential to stopping the spread of nuclear weapons, as the United States understood when it agreed to the NPT's requirement that it pursue additional measures to end the arms race.

Other countries take that commitment seriously, and we should too. There could be problems extending the NPT without some indication that the United States is going the extra mile to end the nuclear arms race. It is true that we are reducing United States and Russian arsenals, but we have to do more. The Russian and French Governments understand this, and we can tell from their decisions to halt their nuclear testing programs. Those moratoria were announced as efforts to stop all nuclear testing, incidentally, and they are not permanent; both countries will resume testing if the United States does not join their effort. That would be a tragedy.

I believe a 1-year U.S. moratorium will help with the NPT negotiations by showing other countries that we are serious about ending the arms race. And a new, stronger NPT is crucial to stop the spread of nuclear weapons.

A U.S. test moratorium will help move us toward another, related goal: a comprehensive nuclear test ban [CTB] treaty. Negotiation of a CTB was a goal of every U.S. administration from Eisenhower to Carter—because those Presidents knew that limits on testing are in the U.S. national security interest. I am a strong supporter of a CTB, and I hope this 1-year moratorium will move us in that direction.

On the other hand, a 1-year test ban will not harm U.S. national security. The United States is not producing any new weapons, or testing any new weapons designs, so a test ban will not delay the introduction of any necessary systems. Many safety issues have been addressed by operational changes, such as removing our bombers from nuclear alert and placing short-range attack missiles in munitions bunkers. Reductions in nuclear arsenals will allow us to improve the overall arsenal safety by focusing withdrawals on older, less safe designs. Reliability concerns have been the subject of extensive testing, and would not be compromised by a 1-year test ban. Finally, effects testing—where we test the effects of nuclear weapons on other military systems—are not an issue, since no such tests are planned for fiscal year 1993.

Finally, however, a 1-year test ban will allow us time to evaluate the issue. As I noted, there are some legitimate questions about weapons safety and reliability. Many of them are being addressed right now, and some will be resolved by withdrawing less safe weapons from the active arsenal. But a 1-year pause will let us assess and debate those issues without prejudicing moves to improve international arms control treaties.

In addition, we need to assess the role of nuclear weapons in a changing world. As our

colleague, Armed Services Committee Chairman LES ASPIN has noted, nuclear weapons no longer serve their cold war function as a battlefield equalizer for the United States and against the Warsaw Pact. With the dissolution of the Warsaw Pact, if nuclear weapons spread to more countries their primary use may be as battlefield equalizers against the United States. Our increasing reliance on accurate conventional weapons only increases the need to examine this issue.

In short, a 1-year test ban provides us with the opportunity to assess the role of nuclear weapons in the post-cold war world, with no danger to the United States. It paves the way to a more comprehensive limit on testing, and helps to negotiate renewal of the Nonproliferation Treaty. I am very pleased this provision is included in the Energy and Water Appropriations Act. I urge my colleagues to support it.

Mr. ROE. Mr. Chairman, I am pleased to express my strong support for the energy and water development appropriations bill for fiscal year 1993. In particular, I am pleased that my colleagues on the Appropriations Committee included \$339.7 million for the magnetic fusion program in the bill. This funding is critical to keep fusion energy on target and on track so that we can yet get closer to real fusion energy.

Many Members of Congress have supported fusion energy over the years and last year's funding level of \$337 million was proof that support has been growing for this long-term energy alternative. This year, Congress is debating national energy strategy legislation and fusion is an important element of that strategy. For America, our investment in fusion peaked in the 1970's, and after declining in the 1980's, funding for fusion started to rise again last year for the first time in a decade. If we are going to be serious about our energy future, we must support this funding bill and the \$339.7 million that is dedicated to fusion energy research and development at universities, research laboratories, and industry around the country.

Fusion scientists are working in the international arena as well. This year will mark the start of formal international cooperation among the Japanese, European Community, Russia, and the United States on engineering and design for the international thermonuclear experiment reactor [ITER], a model of international cooperation. San Diego will be home to scientists from around the world who are putting their heads together to help harness fusion energy. We cannot afford to do it alone on these large, scientific projects. From the start, fusion scientists have done ITER the right way by cooperating on the conceptual and engineering designs. The ITER project is breaking new ground every day in terms of international scientific collaborations, and all indications are that this collaboration is working.

Here in the United States, the fusion community is gearing up for the first deuterium-tritium experiments on the country's largest fusion machine, the Tokamak fusion test reactor [TFTR] at Princeton. These D-T experiments—which are scheduled to begin next summer—will help scientists better understand how a D-T fuel mixture will react inside a Tokamak. The D-T experiments are the highest priority in the U.S. fusion program and we expect outstanding results.

Another important initiative contained in the energy and water development appropriations bill for fiscal year 1993 is funding to design the next advanced Tokamak to replace TFTR at Princeton. This steady state advanced Tokamak [SSAT] will be the first major fusion facility built in the United States since TFTR construction began in the late 1970's. To advance the science, to build industrial capability, and to keep our competitive edge, fusion needs a new machine. The community has eagerly begun the early design work on the SSAT and the fiscal year 1993 appropriations bill will allow that work to continue.

I urge you to support this year's appropriation for fusion energy, \$339.7 million. This funding level is not what DOE asked for in its fiscal year 1993 budget and it's not what the fusion community needs to sustain the pace of scientific progress that is required to get to that alternative energy source. But times are tough and budgets just aren't what we want them to be. We all recognize that the Appropriations Committee and the energy subcommittee had a difficult job to do. Vote for the bill. Vote for fusion and make an investment in our energy future.

Mr. RAHALL. Mr. Chairman, I rise in support of H.R. 5373, the fiscal year 1993 appropriations bill for energy and water development.

This bill would fund energy and water development programs at a total of \$21.795 billion. Importantly, this bill will provide for water projects carried out by the U.S. Army Corps of Engineers and the Interior Department's Bureau of Reclamation, as well as various independent agency functions such as the Appalachian Regional Commission [ARC].

First, Mr. Chairman, let me just say that I appreciate the severe budgetary constraints under which the subcommittee had to work this year, and understand fully its inability to fund new initiatives. Because of the great need in cities and States nationwide, I am deeply grateful for the bill's focus on ongoing projects and programs in our districts. I commend Chairman TOM BEVILL and the members of the subcommittee for having reached very difficult, but very meaningful agreements on how to use its scarce resources to do the most good.

I will begin a brief summary of the provisions in the bill of importance to me and to my State of West Virginia, with the Appalachian Regional Commission funding level for fiscal year 1993 being chief among them.

The bill provides \$185 million in the coming fiscal year for the ARC and its economic development programs. This is \$5 million less than last year's appropriation, and I regret that because of the dire need of our towns and cities for funds to leverage greater economic development opportunities, and particularly Appalachia's overwhelming need for the completion of the Appalachian highway system so important to their linkage with mainstream America.

But while I lament the loss of \$5 million in funding for ARC projects, I applaud the subcommittee for rejecting the President's proposal that ARC be cut by \$100 million this year. That would have been, and reflects the President's penchant for, complete and total abandonment of the poverty pockets of the United States which are found in Appalachia.

If I were called upon to define, as some claim to have been called to do, a poverty of values in America, I could think of a much more telling poverty of values than situation comedies on television—and my book, attempting to gut the ARC and the critical work that it does, would be high on the list of a poverty of values.

I was privileged, Mr. Chairman, to testify before the Subcommittee on Energy and Water Development this year, on behalf of projects in my district in West Virginia.

I testified on a number of projects managed by the Corps of Engineers which are of vital importance to my district, projects which span the range of the construction process from authorized studies to operations and maintenance.

The first project, the Kanawha River Basin comprehensive study, and the second, the West Virginia comprehensive study are of prime importance, and I deeply appreciate their inclusion in this bill.

The Kanawha River Basin comprehensive study affects the Kanawha River Basin in West Virginia, Virginia, and North Carolina. The project needed \$700,000 in order to bring about early completion of the project and, since this is an ongoing project, I deeply appreciate the approval of a \$500,000 allowance under this bill for its continuation at a time when resources are so scarce.

As a result of public hearings held by the Corps of Engineers, two additional areas of interest evolved, expanding the original scope of the study to determine the feasibility of creating a series of intermodal ports and industrial parks.

I am pleased also to note that an additional \$750,000 is provided for the West Virginia port development comprehensive study along the West Virginia side of the Ohio River, focusing on the counties of Cabell, Wayne, Wood, and Ohio, and the West Virginia side of the Big Sandy River.

The second part of the expanded study, which would be covered by the increased funding for the West Virginia comprehensive study, involves examining the feasibility of developing the Virginia Point recreation area located in Kenova, West Virginia, in Wayne County, the result of corps' hearings and workshops which led to local sponsors giving their commitment to share in the costs of the study. The corps reestimated that with \$750,000 they would be able to accommodate the enlarged study scope to include a reconnaissance riverport development study of the West Virginia side of the Ohio River, focusing on the riverfronts of the cities of Parkersburg, Point Pleasant, Virginia Point, and Wheeling, WV.

Mr. Chairman, riverfront development is one of the keys to unlocking the economic development potential that exists along the Big Sandy and the Ohio Rivers, and these funds will permit us to move forward into the next critical phase of the process.

H.R. 5373 has provided well for my State and district with respect to expanded studies described above, and will go far toward developing this historic and natural area for potential recreational as well as commercial use.

Aside from the expanded studies recommended by the corps, there is one other

project in its construction phase, and is of particular importance to my district—the Tug Fork project. H.R. 5373 has proposed to spend \$67,450,000 for the Levisa and Tug Forks and Upper Cumberland River construction projects in West Virginia, Kentucky, and Virginia.

H.R. 5373 also allows \$25 million for the Gallipolis locks and dams for West Virginia and Ohio, and \$38.5 million for the Winfield lock and dam in West Virginia, which is sorely needed.

Further, I am pleased to note that the following Corps of Engineers general investigations and planning projects have been funded in my district and State, in addition to those outlined above:

Island Creek at Logan, WV,	\$304,000 Planning.
Kanawha River Navigation, WV,	1,050,000 Invest.
Moorefield, WV	585,000 Planning.

Mr. Chairman, the \$304,000 for the Island Creek PED at Logan, WV, can be used to complete the project there, and is of utmost importance to that area which is located in my district.

It pleases me also to note that Corps of Engineers' operations and maintenance projects for the coming fiscal year include:

Beech Fork Lake, WV	\$679,000
Bluestone Lake, WV	1,278,000
Burnsville Lake, WV	1,241,000
East Lynn Lake, WV	1,052,000
Elk River Harbor, WV	314,000
Elkins, WV	6,000
Kanawha River Locks and Dams, WV	8,829,000
Ohio River Locks and Dams, Huntington, WV	14,196,000
Ohio River Open Channel Work, Huntington, WV	1,833,000
R. D. Bailey Lake, WV	1,322,000
Stonewall Jackson Lake, WV	892,000
Summersville Lake, WV	1,476,000
Sutton Lake, WV	1,750,000
Tygart Lake, WV	1,078,000

Mr. Chairman, the funding for Beech Fork Lake in West Virginia and for East Lynn, R.D. Bailey, and Bluestone Lakes, will serve the needs of several flood control projects. The significant funding levels for the Ohio River locks and dams and for open channel work in Huntington, WV, are critically needed and I deeply appreciate their inclusion in H.R. 5373.

Again, let me express my strong support for H.R. 5373 and to congratulate the chairman of the subcommittee, my esteemed friend and colleague, TOM BEVILL, for coming close to making a silk purse out of a sow's ear, having managed the subcommittee's 602b allotment in an efficient, effective way that provided vital continuation funding for critically needed flood control, navigation, operations, and maintenance of water resources development projects for the United States.

I urge my colleagues to join with me in strong support of H.R. 5373, and hope that the bill do pass.

Ms. NORTON. Mr. Chairman, I rise today to express my strong support for language included in H.R. 5373, the energy and water appropriations bill for fiscal year 1993, which will continue work on the Anacostia River flood control and navigation project. This work will complete a feasibility study designed to help us understand how to best repair parts of the Anacostia watershed located in Washington, DC and Maryland.

The study's findings will help us, for example, to gain critical knowledge about how to remove blockages to fish passage in the river and how to construct wetlands which will enhance the wildlife habitat as well as purify water flowing through the wetlands. This project includes plans to increase public involvement in the work the Corps of Engineers is undertaking in this important initiative.

Since first coming to Congress, I have had as a major priority the goal of focusing public and congressional attention on the need to clean the Anacostia watershed. In July 1991, I was pleased to be joined by Chairman HENRY NOWAK and ranking member THOMAS PETRI in a community field hearing at Burrville Elementary School in ward 7 before the Water Resources Subcommittee on this very subject. Regional representatives from local governments and environmental organizations testified about the Anacostia and what has been done and what needs to be done.

Since that time, as the only member of the Public Works and Transportation Committee in the Anacostia watershed region, I have begun a major effort to get Federal dollars for the Anacostia River so that it can once again serve as host to fishing, boating, and swimming. I am seeking funding for initiatives such as creation of wetlands, reforestation, and stream rehabilitation. These and others will complement the relatively limited Federal efforts already underway and augment the action to be taken as part of the Anacostia River flood control and navigation project.

The extent of public enthusiasm for cleaning and using the river has been most encouraging. Just last month, over 250 neighborhood volunteers joined me in a major Anacostia River cleanup despite a cold, pouring rain. Together, we collected over 25 tons of garbage and debris, including 300 tires, a refrigerator, a washing machine, and a large quantity of logs. This effort was only the beginning of a series of events for the Year of the Anacostia which we have organized to promote the river. H.R. 5373 is an essential part of this initiative.

I am grateful to Chairman TOM BEVILL for his diligence on this matter of great importance to the District and the metropolitan region, and I urge the support of my colleagues.

Mr. HOAGLAND. Mr. Chairman, today as the House considers H.R. 5373, the fiscal year 1993 energy and water appropriations bill, I oppose funding for the superconducting super collider [SSC] a project to be located in Texas, that will use superconducting magnets to accelerate atomic particle beams to high speeds and collide them, in order to examine the interactions of subatomic particles in the resulting reaction. The bill before the House would provide \$484 million for the SSC.

The SSC could make the United States a world leader in this field of high energy physics and there is no question that we must keep scientific progress moving. This could be a cutting-edge project.

However, the reality is that the Nation cannot afford the SSC today. Our economy is being strangled by an unprecedented \$400 billion deficit and a \$4 trillion debt which exacts \$2,000 per taxpayer in debt service each year. We must rein in Federal spending and call into question many projects like this, no matter how worthwhile. Eliminating the deficit will re-

quire some painful steps, but the question is do we endure the pain now or later? There is no free lunch.

I wish we had the resources to fund the SSC and many other meritorious scientific pursuits and I will work to rebalance the Federal budget so that we can some day. But today, the sad fact is, the SSC will have to wait.

Mr. MYERS of Indiana. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment specified in House Report 102-571 to be offered by the gentleman from California [Mr. BROWN], or his designee, shall be debatable for 30 minutes, equally divided and controlled by the proponent and an opponent of the amendment, and shall not be subject to amendment. No other amendment to the paragraph under the heading "General Science and Research Activities" shall be in order until the amendment offered by the gentleman from California [Mr. BROWN], or his designee, has been disposed of.

The Clerk will read.

The Clerk read as follows:

H.R. 5373

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1993 for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, \$177,831,000, to remain available until expended: *Provided*, That with funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake the following items under General Investigations in fiscal year 1993 in the amounts specified:

Los Angeles County Drainage Area Water Conservation and Supply, California, \$200,000;

Los Angeles River Watercourse Improvement, California, \$300,000;

Rancho Palos Verdes, California, \$400,000;

Miami River Sediments, Florida, \$50,000;

Monroe County (Smathers Beach), Florida, \$500,000;

Casino Beach, Illinois, \$110,000;

Chicago Shoreline, Illinois, \$800,000;

McCook and Thornton Reservoirs, Illinois, \$3,500,000;

Lake George, Hobart, Indiana, \$260,000;
Little Calumet River Basin (Cady Marsh Ditch), Indiana, \$400,000;
Mississippi River, Vicinity of St. Louis, Missouri, \$500,000;
Ste. Genevieve, Missouri, \$750,000;
Passaic River Mainstem, New Jersey, \$10,000,000; and

Red River Waterway, Shreveport, Louisiana, to Daingerfield, Texas, \$2,800,000:

Provided further, That using \$320,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the cost-shared feasibility study of the Calleguas Creek, California, project based on the reconnaissance phase analyses of full intensification benefits resulting from a change in cropping patterns to more intensive crops within the floodplain. The feasibility study will consider the agricultural benefits using both traditional and nontraditional methods, and will include an evaluation of the benefits associated with the environmental protection and restoration of Mugu Lagoon: *Provided further*, That using \$200,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct a cost-shared feasibility study for flood control at Norco Bluffs, California, based on flood related flows and channel migration which have caused bank destabilization and damaged private property and public utilities in the area: *Provided further*, That using \$300,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to expand the study of long-term solutions to shoaling problems in Santa Cruz Harbor, California, by incorporating the study of erosion problems between the harbor and the easterly limit of the City of Capitola, particularly beach-fill type solutions which use sand imported from within or adjacent to the harbor: *Provided further*, That using \$210,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to include the study of Alafia River as part of the Tampa Harbor, Alafia River and Big Bend, Florida, feasibility study: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake a study of a greenway corridor along the Ohio River in New Albany, Clarksville, and Jeffersonville, Indiana, using \$125,000 of the funds appropriated under this heading in Public Law 101-101 for Jeffersonville, Indiana, \$127,000 of the funds appropriated under this heading in Public Law 101-514, and \$250,000 of the funds appropriated under this heading in Public Law 102-104: *Provided further*, That using \$450,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the development of a comprehensive waterfront plan for the White River in central Indianapolis, Indiana: *Provided further*, That using \$250,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct a feasibility study of the Muddy River, Boston, Massachusetts: *Provided further*, That using \$50,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake feasibility phase studies for the Clinton River Spillway, Michigan, project: *Provided further*, That using \$600,000 of the funds appropriated herein and \$900,000 of the funds appropriated under this heading in Public Law 102-104, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue

preconstruction engineering and design of the St. Louis Harbor, Missouri and Illinois, project: *Provided further*, That using \$3,500,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue preconstruction engineering and design of the Raritan River Basin, Green Brook Sub-Basin, New Jersey, project in accordance with the design directives for the project contained in Public Law 100-202: *Provided further*, That using \$440,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to review and evaluate the plan prepared by the City of Buffalo, New York, to relieve flooding and associated water quality problems in the north section of the city and to recommend other cost-effective alternatives to relieve the threat of flooding: *Provided further*, That using \$150,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake a reconnaissance study of the existing resources of the Black Fox and Oakland Spring wetland areas in Murfreesboro, Tennessee, and examine ways to maintain and exhibit the wetlands, including an environmental education facility: *Provided further*, That using \$950,000 of the funds appropriated under this heading in Public Law 102-104, the Secretary of the Army, acting through the Chief of Engineers, is directed to complete preconstruction engineering and design for the Richmond Filtration Plant, Richmond, Virginia, project: *Provided further*, That using \$250,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the study of the disposition of the current Walla Walla, Washington, District headquarters including preparation of the environmental assessment and design work associated with demolition of the building.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), \$1,235,502,000, to remain available until expended, of which such sums as are necessary pursuant to Public Law 99-662 shall be derived from the Inland Waterways Trust Fund: *Provided*, That with funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake the following projects in fiscal year 1993 in the amounts specified:

Kissimmee River, Florida, \$8,000,000;

O'Hare Reservoir, Illinois, \$3,000,000;

Des Moines Recreational River and Greenbelt, Iowa, \$2,500,000;

Red River Basin Chloride Control, Texas and Oklahoma, \$6,000,000; and

Wallisville Lake, Texas, \$500,000:

Provided further, That using \$7,653,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the project to correct seepage problems at Beaver Lake, Arkansas, and all costs incurred in carrying out that project shall be recovered in accordance with the provisions of section 1203 of the Water Resources Development Act of 1986: *Provided further*, That using funds appropriated prior to fiscal year 1992, the Sec-

retary of the Army, acting through the Chief of Engineers, is directed to complete the design memorandum and the environmental impact study on the Ouachita-Black Rivers navigation project in Arkansas and Louisiana: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to base all economic analyses of the Sacramento River Flood Control (Deficiency Correction), California, project on the benefits of the entire project, rather than the benefits of individual increments of the project: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, shall expend \$500,000 of the funds appropriated herein and additional amounts as required from previously appropriated funds to continue plans and specifications, environmental documentation, and the comprehensive hydraulic modeling necessary to achieve to the maximum extent practicable in fiscal year 1993 the project to restore the riverbed gradient at Mile 206 of the Sacramento River in California, for purposes of stabilizing the level of the river and establishing the proper hydraulic head to facilitate new fish protection facilities, the planning, design and implementation of which are integrally related to the planning, design and implementation of the project to restore the flood-damaged riverbed gradient: *Provided further*, That, using \$660,000 in funds previously appropriated in Public Law 102-104, the Secretary of the Army, acting through the Chief of Engineers, is directed to develop a floodplain management planning model for the Yolo Bypass and adjacent areas as deemed appropriate, except, as provided in section 321 of Public Law 101-640, such funds shall not be subject to cost-sharing requirements. The one-time construction of operation and maintenance facilities shall be included as part of project costs with appropriate cost-sharing: *Provided further*, That using \$4,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to complete preconstruction engineering and design for the San Timoteo feature of the Santa Ana River Mainstem, California, project: *Provided further*, That, using funds available in this Act or any previous appropriations Act, the Secretary of the Army shall undertake at Federal expense such actions as are necessary to ensure the safety and integrity of the work performed under Contract Number DACW05-86-C-0101 for the Walnut Creek, California, flood control project: *Provided further*, That using \$700,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue work on project modifications for the improvement of the environment, as part of the Anacostia River Flood Control and Navigation project, District of Columbia and Maryland, under the authority of section 1135 of Public Law 99-662, as amended: *Provided further*, That using \$3,000,000 of the funds appropriated under this heading in Public Law 101-514, the Secretary of the Army, acting through the Chief of Engineers, is directed to complete real estate appraisals and make offers to willing sellers for the purchase of land at Red Rock Lake and Dam, Iowa, no later than October 31, 1993, in accordance with Public Law 99-190: *Provided further*, That using \$22,500,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake structural and nonstructural work associated with the Barbourville, Kentucky, and the Harlan, Kentucky, elements of the Levisa

and Tug Forks of the Big Sandy River and Upper Cumberland River project authorized by section 202 of Public Law 96-367: *Provided further*, That no fully allocated funding policy shall apply to construction of the Barbourville, Kentucky, and Harlan, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project: *Provided further*, That using \$400,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Salyersville cut-through as authorized by Public Law 99-662, section 401(e)(1), in accordance with the Special Project Report for Salyersville, Kentucky, concurred in by the Ohio River Division Engineer on or about July 26, 1989: *Provided further*, That using \$7,700,000 of the funds appropriated herein and \$4,300,000 of the funds appropriated in Public Law 102-104, the Secretary of the Army, acting through the Chief of Engineers, is directed to award continuing contracts for construction of parallel protection along the Orleans and London Avenue outfall canals as part of the Lake Pontchartrain and Vicinity, Louisiana, hurricane protection project in accordance with the cost-sharing principles outlined in Public Law 89-298 and Public Law 102-104: *Provided further*, That the project for flood control, Sowsashee Creek, Meridian, Mississippi, authorized by the Water Resources Development Act of 1986 (Public Law 99-662) is modified to authorize and direct the Secretary of the Army, acting through the Chief of Engineers, to construct the project with an expanded scope recreation plan, as described in the Post Authorization Change Report of the Chief of Engineers dated August 1991, and at a total project cost of \$31,994,000 with an estimated first Federal cost of \$19,706,000 and an estimated non-Federal cost of \$12,288,000. The Federal share of the cost of the recreation features shall be 50 percent exclusive of lands, easements, rights-of-way and relocations: *Provided further*, That using \$175,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to provide sewage disposal hookup for the Crosswinds Marina at the B. Everett Jordan Dam and Lake, North Carolina, project: *Provided further*, That using \$300,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue work on the Feature Design Memorandum for Forest Ridge Peninsula Recreation Area at the Falls Lake, North Carolina, project: *Provided further*, That with \$600,000 of the funds appropriated herein, to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, to correct a design deficiency at the Falls Lake, North Carolina, project, is directed to implement Plan 5 as described in the Design Memo Supplement dated November 1988, concurred in by the South Atlantic Division Engineer on March 1989 with cost sharing as prescribed in the referenced report for this design deficiency: *Provided further*, That using \$5,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue work on the New York Harbor Collection and Removal of Drift, New York and New Jersey, project including the continuation of engineering and design of the remaining portions of the Brooklyn 2, Kill Van Kull, Shooters Island, Bayonne, and Passaic River Reaches, the completion of the design memoranda for the Arthur Kill, New York, and Arthur Kill, New Jersey, reaches, the continuation of

construction on the Weehawken-Edgewater, New Jersey and Brooklyn 2A reaches, and the completion of construction on the Jersey City North 2 reach: *Provided further*, That using \$2,000,000 of the funds appropriated herein to remain available until expended, the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to undertake such measures as are necessary to compensate for damages caused to public and private property by the drawdown undertaken in March 1992 by the United States Army Corps of Engineers at the Little Goose and Lower Granite projects in Washington. The costs of such measures shall be considered project costs and shall be allocated in accordance with existing cost allocations for the Little Goose and Lower Granite projects; and, in addition, \$90,000,000, to remain available until expended, is hereby appropriated for construction of the Red River Waterway, Mississippi River to Shreveport, Louisiana, project, and the Secretary of the Army is directed to continue the second phase of construction of Locks and Dams 4 and 5; to continue construction of the Curtis and Eagle Bend, Phase I, Revetments in Pool 5 which were previously directed to be initiated in fiscal year 1992; to complete construction of the Carroll and Cupples Capouts, McDade, Moss, Sunny Point, and Eagle Bend, Phase II, Revetments in Pools 4 and 5 which were previously directed to be initiated; to award continuing contracts in fiscal year 1993 for construction of the following features of the Red River Waterway which are not to be considered fully funded: recreation facilities in Pools 4 and 5, Howard Capout, Westdale Capout, Piermont Capout, Coshatta flood damage repairs, and Twelvemile Bayou Bend Revetment adjacent to Wells Island Road.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a, 702g-1), \$365,432,000, to remain available until expended: *Provided*, That not less than \$250,000 shall be available for bank stabilization measures as determined by the Chief of Engineers to be advisable for the control of bank erosion of streams in the Yazoo Basin, including the foothill area, and where necessary such measures shall complement similar works planned and constructed by the Soil Conservation Service and be limited to the areas of responsibility mutually agreeable to the District Engineer and the State Conservationist: *Provided further*, That the funds provided herein for operation and maintenance of Yazoo Basin Lakes shall be available for the maintenance of road and trail surfaces, alignments, widths, and drainage features: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use \$2,000,000 of the funds appropriated herein to continue work on the Eastern Arkansas Region, Arkansas, project including the development and implementation of plans for one area to serve as a demonstration project.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality

or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, \$1,551,905,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662, may be derived from that fund, and of which \$16,000,000 shall be for construction, operation, and maintenance of outdoor recreation facilities, to be derived from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601): *Provided*, That not to exceed \$7,000,000 shall be available for obligation for national emergency preparedness programs: *Provided further*, That \$2,285,000 of the funds appropriated herein shall be used by the Secretary of the Army, acting through the Chief of Engineers, to continue the development of recreational facilities at Hansen Dam, California: *Provided further*, That \$2,000,000 of the funds appropriated herein, to remain available until expended, shall be used by the Secretary of the Army, acting through the Chief of Engineers, to continue the development of recreational facilities at Sepulveda Dam, California: *Provided further*, That using \$2,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the repair and rehabilitation of the Flint River, Michigan, flood control project: *Provided further*, That \$40,000 of the funds appropriated herein shall be used by the Secretary of the Army, acting through the Chief of Engineers, to continue the project for removal of silt and aquatic growth at Sauk Lake, Minnesota: *Provided further*, That using \$1,500,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue work on measures needed to alleviate bank erosion and related problems associated with reservoir releases along the Missouri River below Fort Peck Dam, Montana, as authorized by section 33 of the Water Resources Development Act of 1988: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is directed to work with the U.S. Environmental Protection Agency to begin the immediate cleanup of the Ashtabula River, Ohio: *Provided further*, That using \$600,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to update the project Master Plan for the Raystown Lake, Pennsylvania, project.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, \$86,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary for emergency flood control, hurricane, and shore protection activities, as authorized by section 5 of the Flood Control Act approved August 18, 1941, as amended, \$15,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the office of the Chief of Engineers and offices of the Division Engineers; activities of the Board of Engineers for Rivers and Harbors, the Coastal Engineering Research Board, the Humphreys Engineer Center Support Activity, and the Water Resources Support Center,

\$142,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations in this title or appropriations made in this title in subsequent Energy and Water Development Appropriations Acts shall hereafter be available for expenses of attendance by military personnel at meetings in the manner authorized by section 4110 of title 5, United States Code, uniforms, and allowances therefor, as authorized by law (5 U.S.C. 5901-5902), and for printing, either during a recess or session of Congress, of survey reports authorized by law, and such survey reports as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress. Appropriations in this title shall be available for official reception and representation expenses (not to exceed \$5,000); and during the current fiscal year the revolving fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

Mr. MEYERS of Indiana (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title I be considered as read, printed in the RECORD and open for amendment at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

AMENDMENT OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURTON of Indiana: Page 2, strike "\$177,831,000," and insert "\$177,721,000."

Page 3, strike line 7.

The CHAIRMAN. The gentleman from Indiana is recognized for 5 minutes in support of his amendment.

Mr. MEYERS of Indiana. Mr. Chairman, I understood these three amendments would be offered en bloc.

Mr. BURTON of Indiana. No, Mr. Chairman, there must be a misunderstanding. There are three separate projects.

Mr. MEYERS of Indiana. They are all the same title. I understood the gentleman would agree to offer these en bloc.

□ 1510

Mr. BURTON of Indiana. Mr. Chairman, I did not agree to offer them en bloc. There must be a misunderstanding, because I think each of them should be voted upon based upon its merits.

The CHAIRMAN. The gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes in support of his amendment.

Mr. BURTON of Indiana. Mr. Chairman, I apologize to the gentleman from Indiana [Mr. MEYERS] for any misunderstanding on whether or not these were to be offered en bloc.

Mr. Chairman, we have three separate amendments. The first amend-

ment deals with Casino Beach in Chicago, Illinois.

The bill contains \$110,000 for preconstruction design and engineering.

The intention is to finish all the planning of this project in fiscal year 1993. The administration requested no funding for this project, and the Army Corps of Engineers says the purpose of this project is primarily recreational, and, therefore, not a normal Corps of Engineers function.

Mr. Chairman, if we go ahead and appropriate the \$110,000 for the engineering of this, then what we are going to end up with is an \$8 million recreational project in Chicago. As I said earlier in my remarks during general debate, we have a \$4 trillion national debt right now, but it is much higher than that when you take those items which are off budget into consideration, which is another \$2.5 trillion.

The interest alone on the national debt is over \$300 billion a year. If we continue spending the way we have in the past, and there is no reason to believe we will not in the future, by the year 2000, eight years from now, over 100 percent of all personal income taxes will be needed just to pay the interest on the national debt.

So what I am doing here today is proposing three amendments. This is the first of the three, to try to take a step in the right direction in getting control of the spending which is totally out of control right now.

This \$110,000 is just peanuts, but it is going to lead to an \$8 million pork barrel project in Chicago. We cannot afford that \$8 million. We simply do not have it. We are in the tank right now \$4 trillion, and this year alone we are \$400 billion in debt. So we have to do something about spending.

Mr. Chairman, I would submit to my colleagues that here is one small step that can be taken to preempt the possibility of an extra \$8 million being wasted on pork barrel projects in Chicago, IL.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman reserves the balance of his time.

Mr. BEVILL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I might mention that this project is at Jackson Park in Chicago, and it calls for replacing beach material and encasing the wood pilings and stone jetty in steel sheet pilings with a concrete cap.

Mr. Chairman, the project will prevent the loss of Lakeshore Drive, historical buildings, and also reduce maintenance dredging of Jackson Park Harbor.

Mr. Chairman, I oppose the amendment and urge a vote of "no."

Mr. BURTON of Indiana. Mr. Chairman, I wish to reclaim my time.

The CHAIRMAN. It is not possible under the normal 5-minute rule to reserve time.

PARLIAMENTARY INQUIRY

Mr. BURTON of Indiana. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BURTON of Indiana. Mr. Chairman, there must be a misunderstanding. When I said I reserve the balance of my time, I thought the Chair said that I reserve the balance of my time. If I cannot do that, without objection, may I finish my statement?

The CHAIRMAN. Without objection, the gentleman from Indiana [Mr. BURTON] may proceed for an additional 5 minutes.

There was no objection.

Mr. BURTON of Indiana. Mr. Chairman, I just want to say to my colleagues that last week we all voted on the balanced budget amendment to the Constitution. We came within seven or nine votes of passing that constitutional amendment.

A lot of Members, as was stated by the gentleman from New York [Mr. BOEHLERT], stood tall on that particular amendment because they expressed a concern about wanting to get control of this budget deficit that could destroy the economic well-being of America and will destroy the economic well-being of America if we do not get control of spending.

Mr. Chairman, I would just like to say to those Members who voted in favor of the constitutional amendment, when you voted for that, you knew we were going to have to make hard choices on spending.

Mr. Chairman, I submit we have to start today, right now, making those hard choices. This is a pork barrel project that ultimately will cost \$8 million. We should not be spending money for that purpose right now. The Army Corps of Engineers and the administration did not request this and do not want it.

Mr. Chairman, I think we should vote to kill this thing before it gets out of its hole.

Mr. MYERS of Indiana. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment. These are not new projects. If you are familiar with the shoreline along Chicago, this is an area we call the Outer Drive. I remember in my lifetime that Outer Drive has moved out several hundred yards from where it was in the 1930's during the World's Fair in Chicago.

But it is always under bombardment, particularly in the wintertime when there are high tides hitting that.

Mr. Chairman, if this project is not completed, there would be severe damage. It has been traditionally the responsibility of the Corps of Engineers to maintain areas like this from flooding and damage from high water.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. MYERS of Indiana. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, the gentleman is exactly right. A few years ago the gentleman will recall when Lake Michigan swept over the shores and over Michigan Avenue and into the homes and large buildings that are on the border of the city of Chicago and the lake.

Mr. Chairman, this is not a new project. Casino Beach has been ongoing for several years. It is a jetty that will help protect the shoreline of Chicago, and it should be continued, just as the project that the gentleman from Indiana [Mr. MYERS] spoke of, that I understand will be attacked next by the gentleman from Indiana [Mr. BURTON], is highly necessary. That subject is nearing its end and will provide essential information that will be of benefit in protecting the properties along the lake of the city of Chicago from the winter storms the gentleman spoke about.

Mr. MYERS of Indiana. Mr. Chairman, reclaiming my time, I thank the gentleman for his comments. This committee has moved to hold spending down. I think in the bottom line you will see this. But a project like this, ongoing, the money we have already spent will be wasted if we kill it now. The engineering is about to be completed. It is work that has to be done.

Mr. Chairman, I do not live in Chicago, but I have seen water clear across the Outer Drive. That does damage every time it does that. It has been historically the responsibility of the Corps of Engineers to preserve and prevent the loss of property in projects like this.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. MYERS of Indiana. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, the Corps of Engineers says the primary purpose of this project is recreational, and therefore is not a normal corps function.

The second thing I would like to ask is why should the taxpayers of the rest of the United States of America be paying \$8 million for this project anyhow? I think the city of Chicago should be responsible for this.

Mr. MYERS of Indiana. Mr. Chairman, reclaiming my time, certainly some of the projects we are going to be funding later on possibly for the city of Chicago, I do not think it would be proper for the taxpayers of the rest of the country to fund. Historically, everyone in the country uses ports, uses waterways. The value to our infrastructure is tremendous. This is one of those. True, if it was only recreational, the gentleman would be correct. But this has many other features other than recreation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. BURTON].

The question was taken, and the Chairman announced that the yeas appeared to have it.

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

Pursuant to the provisions of clause 2, rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device and the following Members responded to their names.

[Roll No. 196]

ANSWERED "PRESENT"—417

Abercrombie	Conyers	Glickman
Ackerman	Cooper	Gonzalez
Alexander	Costello	Goodling
Allard	Coughlin	Gordon
Allen	Cox (CA)	Goss
Anderson	Cox (IL)	Gradison
Andrews (ME)	Coyne	Grandy
Andrews (NJ)	Cramer	Green
Andrews (TX)	Crane	Guarini
Annuizio	Cunningham	Gunderson
Anthony	Dannemeyer	Hall (OH)
Applegate	Darden	Hall (TX)
Archer	Davis	Hamilton
Armey	de la Garza	Hammerschmidt
Aspin	DeFazio	Hancock
Atkins	DeLauro	Michel
AuCoin	DeLay	Harris
Bacchus	Dellums	Hastert
Baker	Derrick	Hatcher
Ballenger	Dickinson	Hayes (IL)
Barnard	Dicks	Hayes (LA)
Barrett	Dingell	Hefley
Barton	Dixon	Henry
Bateman	Donnelly	Herger
Beilenson	Doolittle	Hertel
Bennett	Dorgan (ND)	Hoagland
Bentley	Dornan (CA)	Hobson
Bereuter	Downey	Hochbrueckner
Berman	Downey	Holloway
Bevill	Dreier	Hopkins
Bilbray	Duncan	Horn
Bilirakis	Durbin	Horton
Blackwell	Dwyer	Houghton
Billey	Dymally	Hoyer
Boehlert	Early	Huckaby
Boehner	Eckart	Hughes
Borski	Edwards (CA)	Hunter
Boucher	Edwards (OK)	Hutto
Boxer	Edwards (TX)	Hyde
Brewster	Emerson	Inhofe
Brooks	Engel	Ireland
Broomfield	English	Jacobs
Browder	Erdreich	James
Brown	Espy	Jefferson
Bruce	Evans	Jenkins
Bryant	Ewing	Johnson (CT)
Bunning	Fascell	Johnson (SD)
Burton	Fawell	Johnson (TX)
Bustamante	Fazio	Johnston
Byron	Feighan	Jones (GA)
Callahan	Fields	Jones (NC)
Camp	Fish	Jontz
Campbell (CA)	Flake	Kanjorski
Campbell (CO)	Foglietta	Kaptur
Cardin	Ford (MI)	Kasich
Carper	Ford (TN)	Kennedy
Carr	Franks (CT)	Kennelly
Chandler	Frost	Kildee
Chapman	Galleghy	Kliczka
Clay	Gallo	Klug
Clement	Gaydos	Kolbe
Clinger	Gejdenson	Kolter
Coble	Gekas	Kopetski
Coleman (MO)	Gephardt	Kostmayer
Coleman (TX)	Geren	Kyl
Collins (IL)	Gibbons	LaFalce
Collins (MI)	Gillmor	Lagomarsino
Combest	Gilman	Lancaster
Condit	Gingrich	Lantos

LaRocco	Olin	Shays
Laughlin	Oliver	Shuster
Leach	Ortiz	Sikorski
Lehman (CA)	Orton	Slattery
Lehman (FL)	Owens (NY)	Skaggs
Lent	Owens (UT)	Skeen
Levin (MI)	Oxley	Skelton
Levine (CA)	Packard	Slattery
Lewis (CA)	Pallone	Slaughter
Lewis (FL)	Panetta	Smith (IA)
Lewis (GA)	Parker	Smith (NJ)
Lightfoot	Pastor	Smith (OR)
Lipinski	Patterson	Smith (TX)
Livingston	Paxon	Snowe
Lloyd	Payne (NJ)	Solarz
Long	Payne (VA)	Solomon
Lowery (CA)	Pease	Spence
Lowey (NY)	Pelosi	Spratt
Luken	Penny	Staggers
Machtley	Perkins	Stallings
Manton	Peterson (FL)	Stark
Markey	Peterson (MN)	Stearns
Marlenee	Petri	Stenholm
Martinez	Pickett	Stokes
Matsui	Pickle	Studds
Mavroules	Porter	Stump
Mazzoli	Poshard	Sundquist
McCandless	Price	Swift
McCloskey	Pursell	Swift
McCollum	Rahall	Synar
McCrery	Ramstad	Tallon
McCurdy	Rangel	Tanner
McDade	Ravenel	Tauzin
McDermott	Ray	Taylor (NC)
McEwen	Reed	Thomas (CA)
McGrath	Regula	Thomas (GA)
McHugh	Rhodes	Thomas (WY)
McMillan (NC)	Richardson	Torres
McMillen (MD)	Ridge	Towns
McNulty	Rinaldo	Traficant
Meyers	Ritter	Unsoeld
Mfume	Roberts	Upton
Michel	Roe	Valentine
Miller (OH)	Roemer	Vander Jagt
Miller (WA)	Rogers	Vento
Mineta	Rohrabacher	Visclosky
Mink	Ros-Lehtinen	Volkmer
Moakley	Rose	Vucanovich
Molinaro	Rostenkowski	Walker
Mollohan	Roth	Walsh
Montgomery	Roukema	Waters
Moody	Rowland	Waxman
Moorhead	Russo	Weber
Moran	Sabo	Weiss
Morella	Sanders	Weldon
Morrison	Sangmeister	Wheat
Mrazek	Santorum	Whitten
Murphy	Sarpalius	Williams
Murtha	Sawyer	Wilson
Myers	Saxton	Wise
Nagle	Schaefer	Wolf
Natcher	Scheuer	Wolpe
Neal (MA)	Schiff	Wyden
Neal (NC)	Schroeder	Wyllie
Nichols	Schulze	Yates
Nowak	Schumer	Yatron
Nussle	Sensenbrenner	Young (AK)
Oaker	Serrano	Young (FL)
Oberstar	Sharp	Zeliff
Obey	Shaw	Zimmer

Mr. ROSTENKOWSKI. Mr. Chairman, I rise in opposition to the Burton amendment. This ill-considered amendment strikes language providing \$110,000 for the Casino Pier shoreline reconstruction project in Chicago, IL.

The city of Chicago's lakefront is protected by a series of embankments that have been in place since the 1920's and 1930's. These structures do not last forever: they have a life expectancy of 25 to 30 years. Due to fluctuating water levels, these embankments are subject to massive deterioration and potential collapse.

Casino Pier is one of Chicago's most severely affected areas. The U.S. Army Corps of Engineers recognized the need for reconstruction at this site in its 1984 Interim II Report. In 1986, based on the corps' recommendation, Congress authorized \$5.48 million for the Casino Pier reconstruction project in the Water

Resources Development Act (Public Law 99-662). For the past 3 years, this project has received funding through the appropriations process. This year's funding completes the preconstruction engineering and design work, enabling the urgently needed construction to begin next year.

Currently, the Corps of Engineers spends \$15,000 annually in removal of sand from the harbor entrances. Indeed, erosion damage has necessitated the closing of this pier. Reconstruction is vitally important in order to protect the La Rabida Children's Hospital, located along the eroding shoreline. Additionally, this project will preserve the Jackson Park shoreline, which is part of a national historic landmark as the site of the 1983 Columbian Exposition. Furthermore, it will prevent flood damage and erosion to the beach, harbor, and park facility area.

The Corps of Engineers has determined that the Casino Pier shoreline reconstruction project will yield \$1 million benefits annually. The Burton amendment is ill-conceived and misguided. I urge my colleagues to oppose this amendment.

□ 1539

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Indiana [Mr. BURTON] for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. According to the previous announcement of the Chair, this will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 104, noes 323, not voting 7, as follows:

[Roll No. 197]

AYES—104

Allard	Gingrich	Paxon
Allen	Glickman	Penny
Andrews (TX)	Goodling	Ramstad
Archer	Goss	Ravenel
Armey	Gradison	Ray
Baker	Grandy	Rhodes
Ballenger	Hamilton	Ritter
Barrett	Hancock	Roberts
Bentley	Hansen	Rohrabacher
Bilirakis	Hefley	Roth
Broomfield	Henry	Santorum
Bunning	Hobson	Schaefer
Burton	Holloway	Schulze
Camp	Hopkins	Sensenbrenner
Campbell (CA)	Inhofe	Sharp
Chandler	Jacobs	Shays
Clement	James	Slattery
Coble	Johnston	Smith (TX)
Combest	Klug	Snowe
Condit	Kyl	Solomon
Cooper	Leach	Spence
Cox (CA)	Lewis (FL)	Staggers
Crane	Marlenee	Stearns
Dannemeyer	McCollum	Stump
DeLay	McCurdy	Sundquist
Doolittle	McMillan (NC)	Tanner
Dornan (CA)	Meyers	Taylor (NC)
Dreier	Miller (OH)	Thomas (WY)
Duncan	Miller (WA)	Upton
Fawell	Moorhead	Walker
Fields	Nichols	Weldon
Galleghy	Nussle	Wyllie
Gekas	Olin	Zeliff
Gilchrist	Oxley	Zimmer
Gillmor	Patterson	

NOES—323

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Barnard
Barton
Bateman
Bellenson
Bennett
Bereuter
Berman
Bevill
Bilbray
Blackwell
Billie
Boehert
Boehner
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Callahan
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clinger
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Conyers
Costello
Coughlin
Cox (IL)
Coyne
Cramer
Cunningham
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)

Frank (MA)
Franks (CT)
Frost
Gallo
Gajdos
Gedensson
Gephardt
Geren
Gibbons
Gilman
Gonzalez
Gordon
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hammerschmidt
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Herger
Hertel
Hoagland
Hochbrueckner
Horn
Horton
Houghton
Hoyer
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Kopetski
Kostmayer
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowery (NY)
Luken
Machtley
Manton
Markley
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCrery
McDade
McDermott
McEwen
McGrath
McHugh
McMillen (MD)
McNulty

Mfume
Michel
Miller (CA)
Mineta
Mink
Moakley
Mollinari
Mollohan
Montgomery
Moody
Moran
Morella
Morrison
Mrázek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Oliver
Ortiz
Orton
Owens (NY)
Owens (UT)
Packard
Pallone
Panetta
Parker
Pastor
Payne (NJ)
Payne (VA)
Pease
Pelosi
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Rahall
Rangel
Reed
Regula
Richardson
Ridge
Riggs
Rinaldo
Roe
Roemer
Rogers
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpallus
Savage
Sawyer
Saxton
Scheuer
Schiff
Schroeder
Schumer
Serrano
Shaw
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Solarez
Spratt
Stallings
Stark

Stenholm
Stokes
Studds
Swett
Swift
Synar
Tallon
Tauzin
Taylor (MS)
Thomas (CA)
Thomas (GA)
Thornton
Torres
Torricelli

Towns
Traficant
Unsoeld
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Waxman
Weber

Weiss
Wheat
Whitten
Williams
Willson
Wise
Wolf
Wolpe
Wyden
Yates
Yatron
Young (AK)
Young (FL)

NOT VOTING—7

Bontor
Hefner
Hubbard

Martin
Obey
Quillen

Traxler

Mr. TAYLOR of Mississippi changed his vote from "aye" to "no."

Mr. SHARP changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1550

The CHAIRMAN. Before proceeding with the next amendment, the Chair would note that it was his understanding, under the unanimous-consent request to dispense with the reading of the bill, the request was to dispense with the reading of all of title I. The Chair's understanding was it would be through page 7, line 12. It is now the understanding of the Chair that the gentleman from Indiana intended that all of title I be read and that the reading be dispensed with.

Mr. MYERS of Indiana. Mr. Chairman, it was my intention to close title I, the entire title, subject to any amendments.

The CHAIRMAN. Then all of title I stands as read.

The Chair would inquire whether there are any points of order against any part of title I.

The Chair hears no points of order.

AMENDMENT OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURTON of Indiana: Page 2, strike "\$177,831,000," and insert "\$177,031,000."

Page 3, strike line 8.

Mr. BURTON of Indiana. Mr. Chairman, well, after that last vote, it does not appear as though that these amendments are going to go anywhere, but I would like to say to my colleagues that this is a very important issue that we are facing on amendment after amendment after amendment. It does not appear to me as though the House of Representatives has the intestinal fortitude necessary to get control of spending.

There was a book put out that was sent to every one of your offices by a man named Mr. Larry Burkett entitled "The Coming Economic Earthquake." I submit to all of my colleagues that they really ought to read that book.

Every one of you in your offices, I believe, received the book authored by Larry Burkett entitled "The Coming Economic Earthquake." That ought to be must reading for everyone in this body, because on that last vote there were 320-some people who voted against the amendment, and it appears to me that we are not even paying attention to the crisis that faces this Nation in the next 5 to 10 years. We could end up with a depression which would be much worse than what happened during the 1930's if we do not get control of our appetite for spending.

Peter Grace, the chairman of the Grace Commission, said that based upon the trends in spending in this country, in the Congress of the United States, that by the year 2000 it will take over 100 percent of all personal income taxes just to pay the interest on the national debt.

Mr. DANNEMEYER. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I am happy to yield to the gentleman from California.

Mr. DANNEMEYER. Mr. Chairman, we are witnessing a savior coming down the land, are we not, in Ross Perot? Is it not true that if we put Ross Perot in the White House we are going to change the spending habits of the United States? Is that not true?

Mr. BURTON of Indiana. If the gentleman would make his point.

Mr. DANNEMEYER. That is what Mr. Perot is saying around this country, is it not? "Put me in the White House and I will change the runaway spending habits of the Congress."

Mr. BURTON of Indiana. Mr. Chairman, if the gentleman does not have any other point to make, or does the gentleman have another point to make?

Mr. DANNEMEYER. I thought that was obvious to all of us.

Mr. BURTON of Indiana. Let me just reclaim my time and say that regardless of who is in the White House, all spending originates in this body with the concurrence of the other body.

We are \$400 billion in the tank this year. We are \$6.5 trillion in debt, if you take in the unfunded liabilities and those things that are off budget.

In the next 10 years or less, we are going to go another \$7 trillion to \$8 trillion in debt if we do not control our appetite for spending, and that is why I say to my colleagues today that we have to prioritize. We must prioritize.

This next amendment that I am talking about here will cost millions and millions of dollars. We do not know exactly how much. But we do know it is going to cost \$800,000 just for the preconstruction engineering and design work. The administration did not request this. They offered no funding for it. We have to prioritize spending.

This is not a priority. It was not recommended by the Corps of Engineers nor by the administration.

It is going to cost \$800,000 just for the design work, and it will cost millions and millions of dollars for this project to be completed. We need to prioritize.

It may be important down the road to do this, I do not know, but it is not a priority right now. It is the Chicago shoreline, the Lake Shore Drive project in the area of the gentleman from Illinois [Mr. YATES], and I would just like to say to my colleagues let us start prioritizing. If we do not, there is going to be an economic debacle unparalleled in American history to take place, and you all know we are not just whistling Dixie when we talk about this. It is a real major problem.

We have to prioritize spending and get control of our appetites, and I see some of my colleagues who come in and smile and say, "Is that in my State," or, "Is that in my district?" "If not, I will vote for it."

We have got to start making hard choices in our own States as well as other parts of the country. Because we cannot win or cut spending any other way.

I would just like to say to my colleagues that this is another small amendment. It will show that we are taking steps in the right direction to control spending and hopefully head off the economic disaster that faces this Nation down the road.

Mr. YATES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is an amendment for disaster prevention in Chicago and the other communities that live along the lakeshore, communities like the suburbs of Evanston, part of Wilmette, suburbs to the south of Chicago which always live with the prospect of a disaster occurring such as the one that occurred some years ago when lake levels rose and winter storms swept the waters of Lake Michigan across the highways, across the roads, across park areas into the buildings, into the homes of people across the road.

This is not pork barrel. This is work within the Corps of Engineers' jurisdiction. The Corps of Engineers is just about the only agency that can do work of this kind. It is not pork barrel any more than it is pork barrel for a committee or a subcommittee like mine on the Department of the Interior which has jurisdiction of the Geologic Survey.

Our committee is putting money into our bill for earthquake and for volcano protection in the State of California. The administration has cut that budget drastically.

□ 1600

Yet we know that within the next 30 years experts have told us that there are going to be earthquakes, there may be volcano eruptions in the State of California, and we have to protect the people of that State. The possibility of disaster does exist.

Is that pork barrel when our committee put that money in for the State of California at the request of Members from the State of California? That is not pork barrel. That is common sense. That is disaster prevention, so that we can prevent the costs that come in the event of earthquakes.

The same thing is true with respect to this shoreline study. We want to be able to prevent the kinds of floods, the kinds of disasters that have taken place in the past. The money that has been appropriated in this bill for that purpose is vitally necessary.

Mr. Chairman, I hope the House rejects the amendment.

Mr. BEVILL. Mr. Chairman, I rise in opposition to this amendment.

I just would like to expand on what my friend and colleague, the gentleman from Illinois, has just said.

This project has been authorized by the Congress. It provides \$2.60 in benefits for every dollar invested. It is primarily a storm damage reduction project. The administration does consider those to be high priority benefits.

Mr. Chairman, I urge everyone to vote no on this amendment.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. BEVILL. I am glad to yield to the gentleman from Indiana.

Mr. BURTON of Indiana. It is my understanding, Mr. Chairman, the gentleman said the administration considers this a high priority project.

According to the information I have, the administration requested no funds for this particular engineering study.

Mr. BEVILL. The Corps of Engineers has advised us that the benefits are primarily storm damage reduction, which the administration considers high priority benefits.

Mr. BURTON of Indiana. Mr. Chairman, if the gentleman will yield further, why is it the administration in their budget request put no money in there for it?

Mr. BEVILL. I guess it is because they could not put in everything they think ought to be in there just as we could not put everything in our bill that we thought was necessary and should have been put in.

Mr. BURTON of Indiana. Mr. Chairman, if the gentleman will yield for one more question. Then in the opinion of the administration because we have to make hard choices right now, this was not a priority item for this particular fiscal year?

Mr. BEVILL. Well, as I said before, this project provides \$2.60 in benefits for every dollar invested.

Mr. MYERS of Indiana. Mr. Chairman, I rise in opposition to the amendment.

I am sorry I must do that to my friend and colleague, the gentleman from Indiana, but my colleague spoke about prioritizing programs and that is what the Appropriations Committee is

all about. Our priorities, true, are different than the administration's. We are closer to Chicago and the problem there than the administration has been.

We see first hand quite often what the problem really is.

So ask about 150 of our colleagues here about prioritizing, those who would like to have had programs in their districts, but this committee decided they were not high enough priorities; but in the judgment of your committee, who works very hard, has hearings, hears thousands of people testify in letters and appearances, and actual witnesses, we have found that this was a higher priority actually than the administration did.

We are talking here about what happens that Lake Michigan is doing to the shoreline along the Chicago Outer Drive. Lake Michigan does not belong to Chicago. It does not belong to Illinois. It belongs to the country, to everyone in the country.

The wind damage there did not start in Chicago. It is not like driving a piling through a flood wall that did happen along the Illinois River in Chicago.

This project addresses something that no one has any control over, and historically the Corps of Engineers has provided for this.

Now, there are about 2 1/2 miles of revetment, steel, stone, being built or would be built, this is the engineering for it, along the north side of Chicago in the Lincoln Park area, the near north side. There are a lot of fine properties along this area.

Then on south things are in danger. Meigs Field, many of us fly into Meigs Field. That would be in danger if we do not build this.

The south side filtration plant would also be in danger if we do not do this.

Fullerton Avenue would also be in danger. That is about 5 miles down on the south side.

So there are almost 7 miles of revetments that would be done here, again to protect investments, to avoid further loss of property.

It is the responsibility of the Corps of Engineers and the people of the United States to protect those investments that the city of Chicago has made and is trying to protect. It is an ongoing project and it is authorized.

So Mr. Chairman, I urge Members to continue the efforts of this committee to protect those investments in Chicago against further loss. Really, it is a small investment, \$2.60 in benefits for every dollar we spend.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. BURTON].

The amendment was rejected.

AMENDMENT OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer my last amendment.

The Clerk read as follows:

Amendment offered by Mr. BURTON of Indiana: Page 2, strike "\$177,831,000," and insert "\$175,031,000."

Page 3, strike lines 19 and 20.

Page 3, line 16, insert "and" after the semicolon.

Page 3, line 18, strike "; and" and insert in lieu thereof a colon.

Mr. BURTON of Indiana. Mr. Chairman, some of my colleagues have asked if I am going to get a vote on this one. I want you to know there will be a vote on this amendment.

It has been said by some of the members of the Appropriations Committee that the White House has one budget, we have another, and we prioritize spending around here. If we prioritize spending, answer this question for me.

We spent \$1.8 trillion in this fiscal year and we only took in \$1.4 trillion. We are \$400 billion short. If we prioritize spending, why are we \$400 billion short?

Well, you might say we did not have enough tax revenues. Ten years ago we brought in \$500 billion in taxes. Now we are bringing in \$1.4 trillion, almost three times as much, and we are still \$400 billion short. So if we are prioritizing, if the Appropriations Committee is doing such a great job, why is it we have tripled the amount of taxes coming in and we are still \$400 billion short?

The fact of the matter is we do not control spending around this place. We do not take anything into consideration other than who wants what and what does it mean to them in their districts, and whether or not it would help them get reelected.

We need to prioritize. There is a fiscal calamity heading toward this Nation.

Listen to what I am going to say one more time. The interest on the national debt will be more than the private personal tax revenues coming in in the next 8 years.

Do you know who said that? Peter Grace, the head of the Grace Commission.

We must get control of our appetite for spending.

Now, this project, the Red River waterway between Shreveport, LA, and Dangerfield, TX, is going to cost \$2.8 million for preconstruction and design for the waterway.

The Army Corps of Engineers says that the economic justification for this project is marginal at best and it did not meet their criteria for the requesting of funding this fiscal year. So the Corps of Engineers says it does not meet their criteria for funding this year.

Now, do you know how much this project is going to cost once you get by the engineering study? Now, listen to this. It is going to cost 644 million Federal taxpayer dollars and it does not meet the criteria of the Corps of Engineers for a project.

Now, I want to say to my colleagues, you did not like the first two amend-

ments. This is \$644 million. Are you going to vote against this one as well?

Where are you going to draw the line? When are we going to get control of spending around this place?

I have three children. There are a lot of children visiting us today. Do you know what kind of legacy we are leaving for those kids? Zippo. There is not going to be an economic future for them if we do not get control of spending around here, so do not talk politics to me today.

I want to tell you one more thing. We are all concerned about the reelection around here. Do you know why the people of this country are fed up with all of us? They are fed up because they know we are not doing the job. We are not making those hard choices and the longer we wait, the harder the choices are going to be and the kids are going to pay the price.

□ 1610

Mr. BEVILL. Mr. Chairman, I rise in opposition to this amendment. I realize the gentleman mentioned \$644 million. Of course, he is not referring to the amendment that we are talking about right now. He is referring to construction of a project, and we are simply talking here about a study that we have already spent over \$5 million on. We are saying, "Don't waste this money by cutting the study off." This project has been authorized by the Congress, and funding for the study has been in bills that have been signed by the President. So we just say it is ridiculous to waste money by cutting off a study in the middle of a study. That is what the gentleman's amendment would do.

So I urge you to vote against the amendment.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. BEVILL. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. I thank the gentlemen for yielding.

Mr. Chairman, if the project is going to cost \$644 million and the Corps of Engineers says it is not a worthy project right now, why would you want to spend \$2.8 million more than the \$5 million we have already spent when it is going to cost \$644 million when the project comes to fruition?

Mr. BEVILL. There is no \$644 million affected by your amendment. The funds in our bill simply apply to the study, and it is a waste of money to cut off the balance of the study when only about \$2 million more is needed to finish the study. You are throwing that figure around, that \$644 million, like we are talking about that amount. The amendment has nothing to do with the \$644 million. The gentleman knows it.

Mr. CHAPMAN. Mr. Chairman, I move to strike the requisite number of words. Let me just say that this project was funded in 1989, 1990, 1991,

and 1992. This is the last year of funding for the feasibility study.

The corps will have an answer in a few months. It is absolutely ludicrous to stop a feasibility study that is 80 percent complete. The potential here down the road could be 48,000 to 100,000 jobs if it were feasible. We are not going to know, if the study is not done, not finished.

It is crazy to not finish this project. We are 80 percent through.

Mr. HUCKABY. Mr. Chairman, I move to strike the requisite number of words and rise in opposition to the amendment.

Mr. Chairman and colleagues, the Red River waterway project was initially authorized back in the late 1960's, 1968. Construction of the first lock and dam was begun, as I recall, in the year 1977. Here today in 1992, three of the locks and dams have been completed. The final two, which will lead to navigation to Shreveport, LA, are underway today. This is a big project, an expensive project, it is very important to the State of Louisiana. Total estimated cost is some \$1.7 billion. In addition to that, it has always been planned that we would further expand navigation on the Red River into Dangerfield, TX.

The issue here today is simply whether or not we will spend the last \$2 million of a study to determine whether or not it is feasible to do this. Somewhere in excess of \$5 million has already been spent to date.

I would point out to my colleague, the gentleman from Indiana, that even though he has good intentions, certainly, I think if we look at the whole scope of the project, it does not make sense to cut at this time.

Mr. Chairman, I would urge defeat of the amendment.

Mr. WEISS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would be much more moved by the protestations of the gentleman from Indiana [Mr. BURTON] if I felt that he really was concerned about the well-being of our children that he talks about paying the price. If he were concerned, then I would expect him to be leading the effort to take care of the children of today who are not getting medical care or who are not getting immunization programs or who are not getting Head Start programs or whose parents, whose mother is not getting nutritional programs.

None of that seems to enter the gentleman's consideration. Those are wasteful programs, for him.

I think you really have to be consistent. If you are concerned about the well-being of the children, then be; do not just use them for political rhetoric and political purposes.

Whether this particular project is good, bad, or indifferent, to use the argument in this amendment that the Corps of Engineers does not find this a

high-priority item when the last amendment the gentleman offered he said it does not make any difference that the Corps of Engineers considers it a high-priority item because we make the decisions. That demonstrates a certain inconsistency. I do not know whether he is really after, whether scoring some political points, but we should not be using our kids in that fashion.

Mr. MYERS of Indiana. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. I thank the gentleman for yielding to me.

I will not belabor the point except to say that we must prioritize around here. And this project, this amendment, granted, will only cut \$2.8 million, but we all know once the feasibility study is done, there will be requests for a total of \$644 million over some given period of time to complete this project. We all know that. So it is going to result in \$644 million in spending. We do not have the money, it is not a high-priority project.

The Corps of Engineers has said that.

All I would like to say to my colleagues is you do not have to agree with me on whether or not my definition of a pork barrel project is correct or not, but one thing you have to agree to is that we are in a fiscal mess and we have to start prioritizing and deciding where we are going to spend our money. Otherwise we are going to face financial disaster and it will not be too far down the road.

So, Mr. Chairman, let us start making those hard decisions. I think this is a good place to start.

Mr. Chairman, I thank my colleague, the gentleman from Indiana, for yielding to me.

Mr. MYERS of Indiana. Mr. Chairman, in response to the gentleman, this committee has prioritized. We are \$623 million below the President's request in the total bill. True, we have some items in here that the President did not request, but again this is a matter of prioritizing. His priorities were different than ours. There is nothing new about that.

I have been on this committee for 22 years. We do it quite frequently, several times a year, regardless of whether we have a Democratic or Republican President.

I also add that we are \$43 million below last year's spending. So we are prioritizing. We have come in under the bill.

But if the train is running away, to answer the gentleman's question here about excessive spending—I certainly will admit this, we have wasted money in the past—but if there is a runaway train in that sort of an economy, you cannot just stop it at a given stop. We are slowing it down. I think we are doing a good job.

Mr. DORGAN of North Dakota. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I listened to the gentleman from Indiana [Mr. BURTON] characterize the Congress as being the culprit here, the wild-spending Congress, unable to get spending under control. I am going to offer with some friends an amendment that will cut far more than the gentleman is proposing later in this debate, if you want to vote for it, because I happen to feel we also are facing serious trouble. I agree the Federal deficits are very troublesome to this country's future and we ought to do something about them. But I do not want the gentleman to characterize his amendments as amendments which, if you vote against, you do not care about the deficit. These people have prioritized; that is precisely the issue. The interesting thing about this debate is the gentleman from Indiana asked the chairman a while back, "Well, did the administration recommend this?" I guess the suggestion or implication of that question was what the administration recommends is important.

Let me tell you what the administration recommends. This is a book which they sent to us, and I am sure they sent it to the office of the gentleman from Indiana [Mr. BURTON]. It is 10 or 12 pounds, 2,000 pages. That is what they recommend as a fiscal policy.

Now, before the big-spending Congress, as the gentleman characterizes it, even gets involved to read this, this is the roadmap developed down at 1600 Pennsylvania Avenue about where they want us to go.

In this fiscal year, I say to the gentleman from Indiana [Mr. BURTON], this President proposes we spend \$352 billion more than we take in, and he only gets to the \$352 billion by taking \$90 billion in Social Security surplus and subtracting it from the deficit. The real deficit proposed by President Bush in this document sent to us in February is \$440 billion.

Now, look, is this place blameless? Of course not. Do we have to change priorities? Of course, we have to.

Do we have to do something different to deal with the deficit? Absolutely.

But does it start with this? Is this the first step in the process? You had better believe it is. The President by law is required to send it to us. He says here is the direction I want to lead. It is a road to more deficits, more economic troubles and more economic decline.

Now I just—look, all of us have the same responsibility to sort out what is right and what is not. What do we need and what can we afford?

But I do not want the gentleman to continue to characterize the Congress solely as a Congress out of control. This is a fiscal policy that is out of control; this is leadership that leads in the wrong direction.

□ 1620

All of us, it seems to me, ought to try and figure out an approach that moves toward some priorities that make sense for all of those whom we represent, and all of us should decide that this is a fiscal policy none of us can support. This fiscal policy, in my judgment, leads to economic stagnation and decline.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. DORGAN of North Dakota. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I do not disagree that the administration and the White House is blameless either. I think that the gentleman is absolutely correct, that there is enough blame to go around, but I just want to ask the gentleman one question:

Where do all the appropriations originate? Here. So, we have to deal with it.

Mr. DORGAN of North Dakota. Reclaiming my time, Mr. Chairman, let me explain something the gentleman well understands.

There are three steps to the process of spending a dollar. The first step, by law, the President sends us his recommendation. The second step, by the Constitution, we decide to vote on the specific appropriation bill. And the third step, by the Constitution, the President either signs or vetoes it.

Two of the three steps are there, and I just do not want to continue to see the characterization by the gentleman's side of the aisle that somehow everything that is screwed up starts here.

Yes, we have got plenty of problems, but our biggest challenge in my judgment is to decide this kind of fiscal policy is wrong for the country, and, once we have decided that, let us all work together to straighten it out, and the point that the gentleman from Alabama [Mr. BEVILL] and the gentleman from Indiana [Mr. MYERS] made is they have already made priorities, they have established a priority, and, in fact, they brought a bill to this floor that is \$600 million less than was requested by the White House. I am prepared to cut it more than that, and I am going to join some friends on the floor in a while to cut some \$20 million more.

So, Mr. Chairman, I understand what the gentleman is saying. I just do not like the characterization of it, and I hope we can get to more constructive approaches, if all of us understand we are all headed toward the same direction, and let us stop blaming the Congress for everything.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield for one final comment?

Mr. DORGAN of North Dakota. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, the fact of the matter is all appropriations originate here, and we are

the ones responsible for sending some kind of bill down to the White House. They can veto it, but it starts here, and, if we are responsible and control spending at our level, we will take care of the problem.

Mr. DORGAN of North Dakota. Reclaiming my time, Mr. Chairman, the gentleman understands the budget of the United States starts by law at the White House. Here is what he delivered. He asked us to spend \$440 billion more than we take in next year.

I am not prepared to do that. I am prepared to say that is wrong for this country's future. It is a destructive fiscal policy, and we have to change it.

So, I say to my colleagues, "Let's all of us decide that it's our priorities that count, and let's try to do it in a way that reduces this crippling Federal deficit."

Mr. McCRERY. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Indiana [Mr. BURTON].

Mr. Chairman, the area which is affected by the study that is the object of my colleague's amendment is mostly outside of my district, but it does affect my district, and I am very familiar with the project, the Red River navigation project, to which this would be an extension, if the study is favorable and if the project goes to completion.

So I want to say that I followed very closely the progress of the study so far, and I want to tell my colleagues that I have some concerns. There are some very sensitive environmental concerns with respect to the extension of this project, and I am hopeful that the completion of the study that will be funded by this \$2.8 million will clear up those environmental concerns and will also tell us that the extension of the project will have, as does the project in chief, a favorable benefit-to-cost ratio.

So, Mr. Chairman, I would ask my colleagues to refuse this time the amendment of the gentleman from Indiana [Mr. BURTON], and let us complete the study.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. BURTON].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 105, noes 319, not voting 10, as follows:

[Roll No. 198]

AYES—105

Allard	Boehner	Cox (CA)
Allen	Bunning	Crane
Archer	Burton	Cunningham
Armey	Camp	Dannemeyer
Ballenger	Campbell (CA)	Dornan (CA)
Barrett	Chandler	Dreier
Bentley	Coble	Duncan
Bilirakis	Condit	Ewing

Fawell	Leach
Franks (CT)	Lewis (FL)
Gallegly	Lukens
Gekas	Marlenee
Gilchrest	McCollum
Gingrich	McEwen
Goss	McMillan (NC)
Gradison	Meyers
Guarini	Mfume
Hamilton	Michel
Hancock	Miller (OH)
Hefley	Miller (WA)
Henry	Molinar
Hobson	Moody
Hopkins	Moorhead
Hunter	Nichols
Ireland	Nussle
Jacobs	Oxley
James	Paxon
Johnson (CT)	Penny
Johnston	Petri
Jones (GA)	Ramstad
Jontz	Ray
Kasich	Ridge
Klug	Ritter
Kyl	Roberts
Lagomarsino	Roemer

NOES—319

Abercrombie	Derrick	Hughes
Ackerman	Dickinson	Hutto
Alexander	Dicks	Hyde
Anderson	Dingell	Inhofe
Andrews (ME)	Dixon	Jefferson
Andrews (NJ)	Donnelly	Jenkins
Andrews (TX)	Dooley	Johnson (SD)
Annunzio	Doolittle	Johnson (TX)
Anthony	Dorgan (ND)	Jones (NC)
Applegate	Downey	Kanjorski
Aspin	Durbin	Kaptur
Atkins	Dwyer	Kennedy
AuCoin	Dymally	Kennelly
Bacchus	Early	Kildee
Baker	Eckart	Kleczka
Barnard	Edwards (CA)	Kolbe
Barton	Edwards (TX)	Kolter
Bateman	Emerson	Kopetski
Bellenson	Engel	Kostmayer
Bennett	English	LaFalce
Bereuter	Erdreich	Lancaster
Berman	Espy	Lantos
Bevill	Evans	LaRocco
Bilbray	Fazio	Laughlin
Blackwell	Feighan	Lehman (CA)
Bliley	Fields	Lehman (FL)
Boehlt	Fish	Lent
Borski	Flake	Levin (MI)
Boucher	Foglietta	Levine (CA)
Boxer	Ford (MI)	Lewis (CA)
Brewster	Frank (MA)	Lewis (GA)
Brooks	Frost	Lightfoot
Browder	Gallo	Lipinski
Brown	Gaydos	Livingston
Bruce	Gejdenson	Lloyd
Bryant	Gephardt	Long
Bustamante	Geren	Lowe (NY)
Byron	Gibbons	Machtley
Callahan	Gillmor	Manton
Campbell (CO)	Gilman	Markey
Cardin	Glickman	Martin
Carper	Gonzalez	Martinez
Carr	Goodling	Matsui
Chapman	Gordon	Mavroules
Clay	Grandy	Mazzoli
Clement	Green	McCandless
Clinger	Gunderson	McCloskey
Coleman (MO)	Hall (OH)	McCrery
Coleman (TX)	Hall (TX)	McCurdy
Collins (IL)	Hammerschmidt	McDade
Collins (MI)	Hansen	McDermott
Combest	Harris	McGrath
Conyers	Hastert	McHugh
Cooper	Hatcher	McMillen (MD)
Costello	Hayes (IL)	McNulty
Coughlin	Hayes (LA)	Miller (CA)
Cox (IL)	Herger	Mineta
Coyne	Hertel	Mink
Cramer	Hongland	Moakley
Darden	Hochbrueckner	Mollohan
Davis	Holloway	Montgomery
de la Garza	Horn	Moran
DeFazio	Horton	Morella
DeLauro	Houghton	Morrison
DeLay	Hoyer	Mrazek
Dellums	Huckaby	Murphy

Murtha	Richardson	Stokes
Myers	Riggs	Studds
Nagle	Rinaldo	Swett
Natcher	Roe	Swift
Neal (MA)	Rogers	Synar
Neal (NC)	Ros-Lehtinen	Tallon
Nowak	Rose	Tauzin
Oakar	Rostenkowski	Taylor (MS)
Oberstar	Roukema	Thomas (CA)
Obey	Rowland	Thomas (GA)
Olin	Roybal	Thomas (WY)
Oliver	Russo	Thornton
Ortiz	Sabo	Torres
Orton	Sanders	Torricelli
Owens (NY)	Sangmeister	Towns
Owens (UT)	Sarpalius	Trafficant
Packard	Savage	Unsold
Pallone	Sawyer	Valentine
Panetta	Saxton	Vento
Parker	Scheuer	Visclosky
Pastor	Schroeder	Volkmer
Patterson	Schumer	Vucanovich
Payne (NJ)	Serrano	Walsh
Payne (VA)	Shaw	Washington
Pease	Shuster	Waters
Pelosi	Sikorski	Waxman
Perkins	Sisisky	Weiss
Peterson (FL)	Skaggs	Wheat
Peterson (MN)	Skeen	Whitten
Pickett	Skelton	Williams
Pickle	Slattery	Wilson
Porter	Slaughter	Wise
Poshard	Smith (FL)	Wolf
Price	Smith (IA)	Wolpe
Pursell	Smith (NJ)	Wyden
Rahall	Solarz	Yates
Rangel	Spratt	Yatron
Ravenel	Staggers	Young (AK)
Reed	Stallings	Young (FL)
Regula	Stark	
Rhodes	Stenholm	

NOT VOTING—10

Bonior	Ford (TN)	Quillen
Broomfield	Hefner	Traxler
Edwards (OK)	Hubbard	
Fascell	Lowery (CA)	

□ 1643

Mr. MARTINEZ changes his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there other amendments to title I?

If not, the Clerk will read.

The Clerk read as follows:

TITLE II

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

For carrying out the functions of the Bureau of Reclamation as provided in the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) and other Acts applicable to that Bureau as follows:

GENERAL INVESTIGATIONS

For engineering and economic investigations of proposed Federal reclamation projects and studies of water conservation and development plans and activities preliminary to the reconstruction, rehabilitation and betterment, financial adjustment, or extension of existing projects, to remain available until expended, \$13,700,000: *Provided*, That, of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund: *Provided further*, That funds contributed by non-Federal entities for purposes similar to this appropriation shall be available for expenditure for the purposes for which contributed as though specifically appropriated for said purposes, and such amounts shall remain available until expended.

CONSTRUCTION PROGRAM (INCLUDING TRANSFER OF FUNDS)

For construction and rehabilitation of projects and parts thereof (including power transmission facilities for Bureau of Reclamation use) and for other related activities as authorized by law, to remain available until expended, \$470,568,000 of which \$69,333,000 shall be available for transfer to the Upper Colorado River Basin Fund authorized by section 5 of the Act of April 11, 1956 (43 U.S.C. 620d), and \$156,168,000 shall be available for transfer to the Lower Colorado River Basin Development Fund authorized by section 403 of the Act of September 30, 1968 (43 U.S.C. 1543), and such amounts as may be necessary shall be considered as though advanced to the Colorado River Dam Fund for the Boulder Canyon Project as authorized by the Act of December 21, 1928, as amended: *Provided*, That of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund: *Provided further*, That transfers to the Upper Colorado River Basin Fund and Lower Colorado River Basin Development Fund may be increased or decreased by transfers within the overall appropriation under this heading: *Provided further*, That funds contributed by non-Federal entities for purposes similar to this appropriation shall be available for expenditure for the purposes for which contributed as though specifically appropriated for said purposes, and such funds shall remain available until expended: *Provided further*, That the final point of discharge for the interceptor drain for the San Luis Unit shall not be determined until development by the Secretary of the Interior and the State of California of a plan, which shall conform with the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters: *Provided further*, That no part of the funds herein approved shall be available for construction or operation of facilities to prevent waters of Lake Powell from entering any national monument: *Provided further*, That the funds contained in this Act for the Garrison Diversion Unit, North Dakota, shall be expended only in accordance with the provisions of the Garrison Diversion Unit Reformulation Act of 1986 (Public Law 99-294): *Provided further*, That all costs of the safety of dams modification work at Coolidge Dam, San Carlos Irrigation Project, Arizona, performed under the authority of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 506), as amended, are in addition to the amount authorized in section 5 of said Act: *Provided further*, That none of the funds appropriated in this Act shall be used to study or construct the Cliff Dam feature of the Central Arizona Project: *Provided further*, That Plan 6 features of the Central Arizona Project other than Cliff Dam, including (1) water rights and associated lands within the State of Arizona acquired by the Secretary of the Interior through purchase, lease, or exchange, for municipal and industrial purposes, not to exceed 30,000 acre feet; and, (2) such increments of flood control that may be found to be feasible by the Secretary of the Interior at Horseshoe and Bartlett Dams, in consultation and cooperation with the Secretary of the Army and using Corps of Engineers evaluation criteria, developed in conjunction with dam safety modifications and consistent with applicable environmental law, are hereby deemed to constitute a suitable alternative to Orme Dam within the meaning of

the Colorado River Basin Project Act (82 Stat. 885; 43 U.S.C. 1501 et seq.): *Provided further*, That the amount authorized by section 4(a)(1) of Public Law 98-541 for the Trinity River Basin, California, Fish and Wildlife Management Program, is hereby increased by \$15,000,000 to \$48,000,000.

OPERATION AND MAINTENANCE

For operation and maintenance of reclamation projects or parts thereof and other facilities, as authorized by law; and for a soil and moisture conservation program on lands under the jurisdiction of the Bureau of Reclamation, pursuant to law, to remain available until expended, \$284,010,000: *Provided*, That of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund, and the amount for program activities which can be derived from the special fee account established pursuant to the Act of December 22, 1987 (16 U.S.C. 4601-6a, as amended), may be derived from that fund: *Provided further*, That of the total appropriated, such amounts as may be required for replacement work on the Boulder Canyon Project which would require readvances to the Colorado River Dam Fund shall be readvanced to the Colorado River Dam Fund pursuant to section 5 of the Boulder Canyon Project Adjustment Act of July 19, 1940 (43 U.S.C. 618d), and such readvances since October 1, 1984, and in the future shall bear interest at the rate determined pursuant to section 104(a)(5) of Public Law 98-381: *Provided further*, That funds advanced by water users for operation and maintenance of reclamation projects or parts thereof shall be deposited to the credit of this appropriation and may be expended for the same purpose and in the same manner as sums appropriated herein may be expended, and such advances shall remain available until expended: *Provided further*, That revenues in the Upper Colorado River Basin Fund shall be available for performing examination of existing structures on participating projects of the Colorado River Storage Project, the costs of which shall be nonreimbursable: *Provided further*, That of the funds appropriated herein, \$3,250,000 shall be available for environmental studies associated with the renewal of Central Valley Project, California, water contracts and environmental compliance, provided that such funds shall be treated as capital expenses in accordance with Federal reclamation law.

BUREAU OF RECLAMATION LOANS PROGRAM ACCOUNT

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, of direct loans and/or grants, \$2,202,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a-422l): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$5,060,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, \$600,000: *Provided*, That of the total sums appropriated, the amount of program activities which can be financed by the reclamation fund shall be derived from the fund.

GENERAL ADMINISTRATIVE EXPENSES

For necessary expenses of general administration and related functions in the office of the Commissioner, the Denver office, and of-

fices in the five regions of the Bureau of Reclamation, \$53,745,000, of which \$1,177,000 shall remain available until expended, the total amount to be derived from the reclamation fund and to be nonreimbursable pursuant to the Act of April 19, 1945 (43 U.S.C. 377): *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted for the current fiscal year as general administrative expenses: *Provided further*, That none of the funds made available in this Act may be expended to implement the transfer of title or ownership of the Central Valley Project to the State of California, unless subsequently authorized by Congress.

EMERGENCY FUND

For an additional amount for the "Emergency fund", as authorized by the Act of June 26, 1948 (43 U.S.C. 502), as amended, to remain available until expended for the purposes specified in said Act, \$1,000,000, to be derived from the reclamation fund.

SPECIAL FUNDS

(TRANSFER OF FUNDS)

Sums herein referred to as being derived from the reclamation fund or special fee account are appropriated from the special funds in the Treasury created by the Act of June 17, 1902 (43 U.S.C. 391) or the Act of December 22, 1987 (16 U.S.C. 4601-6a, as amended), respectively. Such sums shall be transferred, upon request of the Secretary, to be merged with and expended under the heads herein specified; and the unexpended balances of sums transferred for expenditure under the head "General Administrative Expenses" shall revert and be credited to the reclamation fund.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed 17 passenger motor vehicles for replacement only.

Appropriations for the Bureau of Reclamation in this Act or in subsequent Energy and Water Development Appropriations Acts shall hereafter be available for payment of claims for damages to or loss of property, personal injury, or death arising out of activities of the Bureau of Reclamation; payment, except as otherwise provided for, of compensation and expenses of persons on the rolls of the Bureau of Reclamation appointed as authorized by law to represent the United States in the negotiations and administration of interstate compacts without reimbursement or return under the reclamation laws; services as authorized by 5 U.S.C. 3109, in total not to exceed \$500,000 per year; rewards for information or evidence concerning violations of law involving property under the jurisdiction of the Bureau of Reclamation; performance of the functions specified under the head "Operation and Maintenance Administration", Bureau of Reclamation, in the Interior Department Appropriations Act 1945; preparation and dissemination of useful information including recordings, photographs, and photographic prints; and studies of recreational uses of reservoir areas, and investigation and recovery of archaeological and paleontological remains in such areas in the same manner as provided for in the Acts of August 21, 1935 (16 U.S.C. 461-467) and June 27, 1960 (16 U.S.C. 469): *Provided*, That hereafter no part of any appropriation made in this Act or in subsequent Energy and Water Development Appropriations Acts shall be available pursuant to the Act of April 19, 1945 (43 U.S.C. 377), for expenses other than those incurred on behalf of specific reclamation projects except "Gen-

eral Administrative Expenses", amounts provided for plan formulation investigations under the head "General Investigations", and amounts provided for science and technology under the head "Construction Program".

Sums appropriated in this Act or in subsequent Energy and Water Development Appropriations Acts which are expended in the performance of reimbursable functions of the Bureau of Reclamation shall be returnable to the extent and in the manner provided by law.

No part of any appropriation for the Bureau of Reclamation, contained in this Act, in any prior Act, or in subsequent Energy and Water Development Appropriations Acts which represents amounts earned under the terms of a contract but remaining unpaid, shall be obligated for any other purpose, regardless of when such amounts are to be paid: *Provided*, That the incurring of any obligation prohibited by this paragraph shall be deemed a violation of 31 U.S.C. 1341.

No funds appropriated to the Bureau of Reclamation for operation and maintenance in this Act or in subsequent Energy and Water Development Appropriations Acts, except those derived from advances by water users, shall hereafter be used for the particular benefits of lands (a) within the boundaries of an irrigation district, (b) of any member of a water users' organization, or (c) of any individual when such district, organization, or individual is in arrears for more than twelve months in the payment of charges due under a contract entered into with the United States pursuant to laws administered by the Bureau of Reclamation.

None of the funds made available by this or any other Act or by any subsequent Act shall hereafter be used by the Bureau of Reclamation for contracts for surveying and mapping services unless such contracts for which a solicitation is issued after the date of this Act are awarded in accordance with title IX of the Federal Property and Administrative Service Act of 1949 (40 U.S.C. 541 et seq.).

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

SEC. 201. Appropriations in this title or appropriations made under this title in subsequent Energy and Water Development Appropriations Acts shall hereafter be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities or other facilities or equipment damaged, rendered inoperable, or destroyed by fire, flood, storm, drought, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted.

SEC. 202. Hereafter, the Secretary may authorize the expenditure or transfer (within each bureau or office) of any appropriation in this title or appropriations made under this title in subsequent Energy and Water Development Appropriations Acts, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under jurisdiction of the Department of the Interior.

SEC. 203. Appropriations in this title or appropriations made under this title in subsequent Energy and Water Development Appropriations Acts shall hereafter be available for operation of warehouses, garages, shops, and similar facilities, wherever con-

solidation of activities will contribute to efficiency, or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by the Act of June 30, 1932 (31 U.S.C. 1535 and 1536): *Provided*, That reimbursements for costs of supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 204. Appropriations in this title or appropriations made under this title in subsequent Energy and Water Development Appropriations Acts shall hereafter be available for hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchases of reprints; payment for telephone services in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 205. Hereafter, the Bureau of Reclamation may invite non-Federal entities involved in cost sharing arrangements for the development of water projects to participate in contract negotiation and source selection proceedings without invoking provisions of the Federal Advisory Committee Act (5 U.S.C. Appendix (1988)): *Provided*, That such non-Federal participants shall be subject to the provisions of the Federal Procurement Integrity Act (41 U.S.C. 423 (1988)) and to the conflict of interest provisions appearing at 18 U.S.C. 201 et seq. (1988).

Mr. BEVILL (during the reading). Mr. Chairman, I ask unanimous consent that title II be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. Are there any points of order against any part of title II?

Are there any amendments to title II?

If not, the Clerk will read.

The Clerk read as follows:

TITLE III—DEPARTMENT OF ENERGY

Mr. SCHUMER. Mr. Chairman, I ask unanimous consent to take my amendment to title III on page 39 out of order. I have cleared this with the chairman of the committee and the ranking member.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDMENT OFFERED BY MR. SCHUMER

Mr. SCHUMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHUMER: Page 39, line 1, insert after "Energy" the following: and, in addition, of which \$4,300,000 shall be available for the Reduced Enrichment Research Test Reactor program for fuel development and technical assistance

Mr. BEVILL. Mr. Chairman, will the gentleman yield?

Mr. SCHUMER. I yield to the gentleman from Alabama.

Mr. BEVILL. Mr. Chairman, we have no objection to this amendment.

Mr. SCHUMER. Mr. Chairman, this is a very simple amendment.

Mr. Chairman, I rise today to offer a very simple amendment, which would earmark funds—previously authorized in the Defense authorization bill—for the Reduced Enrichment Research and Test Reactor Program.

This program reduces the risk of nuclear proliferation by developing non-weapons-usable fuels to replace U.S. exports of bomb-grade uranium fuel, and then assisting reactor operators to convert to the safer fuels. If fully funded, it will permit the United States to terminate all remaining exports of bomb-grade uranium in approximately 5 years.

The amendment would provide \$1.3 million for technical assistance and \$3 million for fuel development. I thank the gentleman from Alabama, Chairman BEVILL, and the gentleman from Indiana [Mr. MYERS] for their leadership on this bill and their support of this amendment and I urge my colleagues to vote "yes."

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. SCHUMER. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, I thank the gentleman for yielding to me.

The gentleman from New York has discussed this amendment, and we accept it on the Republican side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SCHUMER].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses incidental thereto necessary for energy supply, research and development activities, and other activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 15, of which 14 are for replacement only), \$2,947,633,000, to remain available until expended, of which, \$4,000,000 shall be derived by transfer from the Geothermal Resources Development Fund.

AMENDMENT OFFERED BY MR. WOLPE

Mr. WOLPE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLPE: Page 33, line 4, strike "\$2,947,633,000" and insert "\$2,913,594,000".

Mr. WOLPE. Mr. Chairman, the intent of the amendment that is now before this House is to strike \$34,039,000 from energy supply, research, and development activities in title III of this bill that, according to the committee report, is devoted to the advanced liquid metal reactor program.

Mr. Chairman, last week this House debated a constitutional amendment to require a balanced budget. Today the Members of this body will have the opportunity to demonstrate whether we are, in fact, really willing to go after and to eliminate unneeded Federal programs or if we are going to continue to support wholly unjustified Federal expenditures and then cloak our fiscal irresponsibility by pointing to our vote for the constitutional balanced budget amendment.

I will be offering today, Mr. Chairman, amendments to delete funding for the advanced liquid metal reactor program and for the SP-100 space reactor program. Many Members of this body have probably never heard of these programs and yet they represent the worst kind of wasteful spending. They exist because of the parochial interests of a handful of Members of Congress; the institutional interests of the Department of Energy bureaucracy; and the special interests of large energy corporations. And these two programs will cost American taxpayers some \$60 million this year and could cost \$7 billion over this decade.

□ 1650

I would not be aware of these programs myself if it were not for my activities as chairman of the Committee on Science, Space, and Technology's Subcommittee on Investigations and Oversight. From what I have learned from our oversight activity, I am here to report to my colleagues that these two programs are prime targets for deficit reduction.

The advanced liquid metal reactor program is an attempt by the Department of Energy to revive its breeder reactor program. In the early 1980's Members will recall Congress voted to kill the Clinch River breeder reactor project. The reasons for that decision were several: Breeder technology was not expected to be competitive in the marketplace for at least 70 years; breeder technology created the specter of nuclear terrorism, due to the proliferation of plutonium; and to top it off, the Clinch River project was outrageously expensive. The cost soared from an initial estimate of \$400 million to over \$8 billion.

The project was finally killed when the nuclear industry refused to put its own money up to help the American taxpayer over these huge cost overruns, but it did not stay dead for long. The advanced liquid metal reactor program rose from the ashes of the Clinch River breeder reactor.

The Department of Energy has shied away from using the word "breeder" when describing this new program, but all of the old arguments that were successfully used against the Clinch River project apply to the advanced liquid metal reactor program as well.

There is also a new argument. My subcommittee held a hearing in April

to review a very interesting internal Department of Energy analysis of where energy investments should be made based on the merits, without regard to political sensitivities. The Department of Energy compared some 23 competing energy technologies. These technologies were compared on the basis of their contribution to energy supply, their contribution to economic growth, their contribution to environmental quality, their market risk, and their technical risk.

On the basis of these factors, the advanced liquid metal reactor program was ranked 21st of the 23 electricity programs examined by the Department of Energy's own internal analysis. It was third from the bottom.

Internal Department of Energy documents also indicate it will cost at least \$5 billion to develop this technology, but in view of the Department of Energy's records of cost estimation on Clinch River, it could easily cost two to three times that amount.

Mr. Chairman, it is time to kill this program once and for all, for four reasons. First, we do not have to be geniuses to realize that this technology will never be competitive in the marketplace. In the real world, utility companies will never choose such costly, complex, and risky technology.

Second, the widespread use of advanced liquid metal reactor technology as envisioned by the Department of Energy would put large quantities of highly radioactive material into commerce between utility companies. This would pose a threat both to national security and to the public health.

Third, wasting scarce energy research dollars on such a low-priority project diverts resources away from investments that can make a much more substantial contribution to energy security.

Fourth, in the current fiscal environment, it simply makes no sense to spend billions and billions of dollars on a technology that rates at the very bottom of the Department of Energy's own internal analysis.

This is an opportunity, Mr. Chairman, to demonstrate to the American people that we really are serious about cutting wasteful Federal spending. The amendment has been endorsed by the National Taxpayers Union. It has been endorsed by the Friends of the Earth. I hope that Members of this body will support the amendment as well.

Mr. Chairman, I yield back the balance of my time.

Mr. DURBIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, let me say at the outset that I have not been a fan of nuclear power. During the time that I have been in public life I have watched very closely the development of the nuclear power industry and have had two major concerns: First, the safety of operation. Having seen what happened at

Three Mile Island and Chernobyl, there is not a person in this world who would not be concerned about the safety of nuclear power operations.

Second, I have a concern about the waste that is generated by nuclear power facilities. What are we going to do with these spent nuclear fuel rods which remain radioactive and dangerous for hundreds of years? Those two concerns have really motivated me in the past to be generally in opposition to the development of the nuclear power industry, because I felt they did not answer the concerns of not only this Congressman but people across the United States.

However, I think that, frankly, we have to take a hard look at the research that is going on now and ask whether it addresses those concerns. Unfortunately, the amendment which is being offered by my colleague and friend, the gentleman from Michigan [Mr. WOLPE], is going to cut short what I consider an opportunity to develop the technology necessary to address those two concerns.

With this reactor, the integral fast reactor, we find they have been developing through their own research and technology a system which in fact has a closed loop between the burning of the fuel and the reprocessing of useful materials.

What this means in layman's terms is that they are trying to contain within their reactor facility the actual production of energy and the consumption of what is left from the fuel process. It means that they are trying to develop a technology which will not allow the possibility of a meltdown or a Chernobyl. That is something we should encourage and fund.

Second, the spent fuel, which of course lives on for hundreds of years to haunt us, is something that we must look to. Can it be used productively? This fast reactor process is trying to develop ways—and there is promise on the horizon that they will—to use these spent nuclear fuel rods again and consume them.

This reactor can also burn plutonium. The significance there is the fact that this plutonium may be coming from nuclear weapons stockpiles. Just a few hours ago we had the President of Russia stand before us and talk about his plans to dismantle their nuclear weapons, which the United States will probably match. What will happen to all this radioactive material?

If this nuclear process results in technology that we can use, we might be able to use some of the nuclear weapons stockpile for peaceful purposes. From my point of view that is very positive.

Finally, the major concern with the nuclear power industry is the fact that every time we built a nuclear reactor in the United States, it seems that every new company had to come up

with a new design, and much time, and effort, and money were wasted in that process. This integral fast reactor which we are funding is trying to establish a commercial prototype which can be used by the private sector over and over again, much as France has done successfully to date.

I would urge my colleagues to take a hard look at this particular project and to vote against the amendment of my friend, the gentleman from Michigan.

I agree with him, we have to watch our Federal dollars very closely, but I happen to believe that this money, invested in this reactor, holds the promise to face the problems of nuclear power and to solve them. That is why I stand in opposition to the amendment.

Mr. FAWELL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, 2 weeks ago the house voted overwhelmingly in favor of national energy strategy legislation—H.R. 776—which would ensure a place for advanced nuclear power in meeting our energy needs of tomorrow. Efforts by the gentleman from Michigan [Mr. WOLPE] to delete the funding for the advanced liquid metal reactor program, I believe, would directly undermine a very important national goal.

As the centerpiece of the Department of Energy's Advanced Reactor Research and Development Program, the advanced liquid metal reactor [ALMR] program, which consists of the integral fast reactor [IFR] at Argonne National Laboratory, is a revolutionary reactor design which has been demonstrated to be passively safe, is economically competitive to build and to operate, and employs an innovative fuel cycle that recycles its own waste.

□ 1700

It has been said that the potential advantages of the IFR visualized in past years continue coming closer to reality. These include enhanced safety, proven very high fuel burnup, proliferation resistance, reduced waste disposal problems, an integral self-contained and potentially lower cost fuel cycle, and a nearly inexhaustible supply of fuel.

Those are not my words. They came from a very special committee composed of people of the highest technical reputation, and each with qualifications and experience that uniquely qualify them to assess a program of this depth and breadth. Among the Members are Hans Bethe, the Nobel Laureate from Cornell, Manson Benedict, the founding chairman of the nuclear engineering department of MIT, Max Carbon, the ex-chairman of the Advisory Committee on Reactor Safety for the Nation, and others of comparable note in their areas.

Unlike conventional technology, the ALMR will not produce plutonium separated from other substances, and I think the gentleman from Michigan

[Mr. WOLPE] has indicated a fear in that regard. That is because all reprocessing of fuel is done inside the nuclear reactor. In fact, any plutonium produced by the ALMR as waste in the fuel cycle will not only be mixed with impurities that make such a product undesirable for use in weapons, but will actually be consumed, that is recycled, as additional fuel in the reactor, gobbling up, you might say, the waste that is produced.

This feature was not offered by the Clinch River breeder reactor design, as Members may have been led to believe in the recent "Dear Colleague" from the gentleman from Michigan [Mr. WOLPE].

The ALMR is a true breakthrough in energy production in the United States. Its inherent safety features, its ability to recycle its own waste products, its economic promise, and innovative nuclear waste disposal capabilities, which produce appreciably less quantity and toxicity of waste, make it a program well worth Federal support. In fact, if one is interested in safe nuclear power, one should vote against the Wolpe amendment. The cost for this research and development program is \$41.5 million in fiscal year 1993, which is less than in fiscal year 1992.

This program, which has totaled thus far \$320 million over 7 years, is in no way comparable to the Clinch River program. To terminate this program would negate its potential value just when it is close to producing a very useful energy source for society. That, certainly, is not very economic or cost effective.

I have one additional point, because the gentleman did mention that the Department of Energy had ranked the ALMR project low on its totem pole insofar as advanced nuclear reactor and electric generating technology are concerned. I have a letter from DOE which fully supports the ALMR program as the centerpiece of the DOE advanced nuclear reactor program. I have been authorized to set forth the following as the view of the Department of Energy, in regard to the alleged low rating of the ALMR by DOE. I quote, "The selected excerpts from an internal draft document from one DOE office cited in Congressman WOLPE's letter of June 11, 1992, do not reflect DOE policy."

The CHAIRMAN. The time of the gentleman from Illinois [Mr. FAWELL] has expired.

(On request of Mr. WOLPE and by unanimous consent Mr. FAWELL was allowed to proceed for 3 additional minutes.)

Mr. FAWELL. The Department of Energy states, as I said, "The selective excerpts from an internal draft document from one DOE office cited in Congressman WOLPE's letter of June 11, 1992, do not reflect DOE policy."

As I have indicated, the ALMR is an inherently and passively safe reactor

technology. In fact, there was a demonstration at Argonne National Laboratory in Idaho Falls conducted shortly after the Chernobyl accident, in which scientists simulated the conditions present which caused the Chernobyl accident. As at Chernobyl, a dangerous chain reaction began. Yet the chain reaction was shut down by the inherently safe design features of the ALMR without safety risk or intervention of technicians conducting the experiment. This is a very innovative and a very useful technology, and the last thing in the world we ought to be doing is thinking about terminating it.

Mr. WOLPE. Mr. Chairman, will the gentleman yield?

Mr. FAWELL. I am glad to yield to the gentleman from Michigan.

Mr. WOLPE. I thank the gentleman for yielding to permit me to make a couple of different points.

First of all, the gentleman's comment about the Office of Policy's analysis not reflecting the Department of Energy's present point of view, I find that intriguing. I hope that all of the Members of this body will at some point take the opportunity of reviewing the Office of Policy's analysis to which I referred, which was an effort to try to evaluate all of the competing energy technologies on the basis of merit, without regard to political sensitivities.

What is intriguing was the absence of any positive correlation between the Office of Policy's own analysis and the budget that was subsequently submitted by the Department of Energy for fiscal year 1993. In fact, there is a perverse relationship. Those that were the lowest valued projects received requests for the highest increases in funding imaginable. But the point again is that when they undertook the analysis on the basis of merits, this project was rated 23 of 25.

Mr. FAWELL. Reclaiming my time, I have tried to answer that allegation by quoting the Department of Energy: "The selective excerpts from an internal document from one DOE office cited in Congressman WOLPE's letter of June 11, 1992, do not reflect DOE policy." And indeed, as the gentleman is well aware, the Department of Energy has set forth this advanced nuclear reactor as the centerpiece of its advanced nuclear reactor program.

So I want to make it clear that there is complete faith and confidence in this program by the Department of Energy. Indeed, I think the gentleman heard me refer to the eminent scientists who have reviewed this program at Argonne. None of them are directly connected with the program. All are persons of national stature, and they all have given their full support to the integral fast reactor.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. FAWELL] has again expired.

(On request of Mr. WOLPE and by unanimous consent, Mr. FAWELL was allowed to proceed for 2 additional minutes.)

Mr. WOLPE. Mr. Chairman, will the gentleman yield?

Mr. FAWELL. I yield to the gentleman from Michigan.

Mr. WOLPE. The point I think that needs to be underscored is that the Department of Energy's policies do total violence to their own internal analysis, an analysis which attempted to assess these matters on the basis of merits. That is the point that I am trying to underscore.

Mr. FAWELL. If I may interrupt, I have to insist that the Department denies that the internal memo of one particular office reflects their view or ever has reflected their view. And they also point out that these are selective excerpts.

Mr. WOLPE. The gentleman is correct. If the gentleman will yield, he is correct. The Department of Energy policy is to support this project. My point is it did so in contradiction to its own Office of Policy internal analysis.

The other point I wanted to make very briefly is I am struck by the parallel nature of this debate and the one that we had some years ago on the Clinch River breeder reactor. Those of us who were opposed to the Clinch River breeder reactor were charged with offering an amendment designed to undercut nuclear power. The fact of the matter was that the issue had nothing to do with whether we were pronuclear or antinuclear. The issue had to do with economics. It was the marketplace that was the real issue, and that was why people like Dave Stockman and other people who were pronuclear joined with people raising environmental concerns in opposition to Clinch River.

Two questions: What is the total cost to the taxpayer, and second, will it be acceptable in the marketplace when it is complete, and there is no evidence of that, and it is a huge cost to the taxpayers.

Mr. FAWELL. There is no similarity between this and the Clinch River reactor. But I see Madam Chairman of the Energy Subcommittee is ready to discuss this issue, and I am sure she will cover those points.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. FAWELL] has again expired.

(On request of Mr. WALKER and by unanimous consent Mr. FAWELL was allowed to proceed for 1 additional minute.)

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. FAWELL. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I think it is important that we clarify this Office of Policy analysis. As I understand it, the reason why the gentleman keeps

referring to the fact that this was selected excerpts is that what the gentleman from Michigan [Mr. WOLPE] has done is found selected excerpts. They were indeed judging the merits, and one of them was whether indeed it was short term or long term in terms of value, and in this particular case we have a long-term program. The fact is that if we want to produce energy short term, this is not the way to go. But in fact, if we want an advanced program looking down the road as to what the energy strategy would be, this is the way to go. And so one of the reasons why the DOE has decided to put this program forward is because it is one of their long-term advanced programs that they think has merit and, therefore, is advancing it on that basis.

□ 1710

So we should not be deceived by the Office of Policy analysis question here. This is, in part, a merit selection process that was done based upon factors other than just whether or not we have a short-term availability of energy given this kind of reactor.

Mr. FAWELL. Mr. Chairman, I think the gentleman from Tennessee can certainly carry on here.

Mrs. LLOYD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do rise in opposition to this amendment.

The Advanced Liquid Metal Reactor Program is a cornerstone of the long-term plan of our national energy strategy. We have a short-, a mid-, and a long-term strategy.

This program has been reviewed. It has been debated, and it has been approved by the Subcommittee on Energy which I chair, and the gentleman from Michigan is a member, by the full Committee on Science, Space, and Technology, the Committee on Appropriations Subcommittee, and the full Committee on Appropriations and other bodies.

Now, the gentleman from Michigan characterizes this program as an attempt to overturn the congressional decision regarding Clinch River. I would remind the gentleman that this program, the ALMR Program, is congressionally approved every year, and it is not an extension of the Clinch River program.

But I would also remind this gentleman that other nations have continued with their research in this area, and they have now moved ahead of us in this direction, and other nations are also exploring liquid metal designs. They would gladly take the information and the developments from our program to enhance their own, should we decide to cancel this program.

The gentleman has repeatedly cited concerns about proliferations of weapons-grade plutonium, weapons-grade material. Yet, the ALMR could, in fact,

be used to burn the plutonium from our retired weapons providing a very useful fuel for our country, and certainly the events of the past and the events of today indicate that we can make great use of this program and its equipment to burn the very element that we are concerned about and exercise control to prevent proliferation.

Let me repeat, the Liquid Metal Program is a long-term technology development program, but it can contribute to our total energy needs in the next century, and should it prove successful, we are going to have the effect of reducing our greenhouse gases. It is part of our energy strategy, and it has been approved by the other body.

I again remind my colleagues the Advanced Liquid Metal Reactor Program has been reviewed, debated, and approved by the Committee on Appropriations and the other legislative committees.

So I do urge my colleagues to vote no on this amendment.

Mr. PORTER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I consider the gentleman from Michigan to be a very forward-looking, informed, and progressive Member, but I have to say that I also consider the amendment he is offering to be a very backward-looking, uninformed, and regressive amendment.

It seeks to undermine a real breakthrough in energy technology in America, a breakthrough that promises cleaner, cheaper, and more efficient energy production.

Mr. Chairman, rather than decreasing the funding for the Advanced Liquid Metal Reactor Program, as this amendment would, we should pursue this new technology with every resource available. We should energetically embrace the opportunity to produce cleaner and safer nuclear energy to lessen our dependence upon relatively dirty and expensive fossil fuels.

In fact, Congress has already endorsed the ALMR Program when it passed H.R. 776, the national energy strategy, by a vote of 387 to 37 just 2 weeks ago. This recommendation was sent to the House by the Committee on Science, Space, and Technology, which considered the new technology extensively, and in addition, Congress has voted to support the ALMR Program every year since 1984.

Contrary to what the able gentleman from Michigan would have us believe, the ALMR and the integral fast reactor which is a component of the program are not a continuation of the breeder reactor program. Unlike conventional technology, the ALMR does not produce pure plutonium.

All of the reprocessing is done within the reactor itself. What plutonium is produced is combined with impurities that make it unusable for weapons pro-

duction, and it is actually consumed as an additional fuel within the reactor itself.

The Clinch River breeder reactor design which was canceled in 1983 did not contain this feature.

The letter from the gentleman from Michigan of June 11, to the Members suggests that DOE will spend \$5 billion to demonstrate the technology. This is ridiculous. The letter apparently confuses demonstrating the technology with building a reactor.

In fact, the cost of demonstrating the technology, beginning in 1995, is estimated by DOE at \$300 million over 12 years.

This new technology, as embodied in the integral fast reactor concept, developed by Argonne National Laboratory and being developed for commercial application by private firms such as GE, is passively safe, economically feasible to build and maintain, and uses an innovative fuel cycle that enhances nuclear waste disposal and does not produce separated plutonium.

Most importantly, unlike Clinch River, the IFR is clearly viable in the very near term.

Mr. Chairman, I would urge the Members to reject this amendment and to embrace the IFR technology that offers the very real near-term hope of environmentally safe, clean, and commercially feasible energy production.

Mr. WOLPE. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I am happy to yield to the gentleman from Michigan.

Mr. WOLPE. Mr. Chairman, I thank the gentleman for yielding.

I simply wanted to address one specific point. The gentleman raised questions about my claim that the Department of Energy's own internal analysis projects a \$5 billion cost over the next decade. I would be pleased to share with the gentleman the internal Department of Energy document that affirms that estimate.

Mr. STALLINGS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the amendment being offered by the gentleman from Michigan [Mr. WOLPE].

The gentleman's amendment would eliminate funding for the advanced liquid metal reactor, a civilian reactor technology being developed by the Department of Energy.

Let me offer just a few important arguments against this amendment and share with you why this research and development program deserves our support.

I believe an essential part of a long-term national energy strategy must include a strong commitment to nuclear energy to meet our growing demands for electricity.

One of the key elements of our nuclear energy program is the advanced

liquid metal program and the continued development of the integral fast reactor, or IFR, concept.

This project, under the excellent leadership of the Argonne National Laboratory, has been under development since 1984. This advanced reactor program will usher in a new era of reactor safety, which is essential in regaining and keeping public confidence in the nuclear energy option.

It also can breed its own fuel, thereby allowing development of enough reactors to actually make a difference in global warming.

And, finally, this program also represents what may turn out to be a real breakthrough in nuclear waste, by recycling and consuming the long-lived elements in the waste.

As you can see, the combination of enhanced safety properties, proven fuel efficiency, and reduced waste disposal problems provide a unique opportunity for this promising technology to better meet our energy, environmental, and waste management needs.

Just last month, the House approved a comprehensive energy bill which will guide this Nation for many years to come. Among other things, the House energy bill specifically calls for the Energy Department to continue the development of the advanced liquid metal program.

As a member of the Science, Space, and Technology Committee, which has jurisdiction over this research and development program, I want to advise my colleagues that this committee has spent many days and hours reviewing our nuclear energy programs.

In addition, the Energy Subcommittee, under the effective leadership of Chairman LLOYD and Mr. MORRISON, also held hearings this year on the advanced nuclear reactor program and reaffirmed its strong support for this R&D effort.

In approving the energy bill, the House recognized the valuable contribution the advanced liquid metal reactor program plays in meeting our future energy goals and endorsed continued development of the nuclear energy option.

The Science Committee completed its important work earlier this year. The Energy and Water Development Appropriations Subcommittee also has recommended funding of this program.

The Department of Energy is pursuing a disciplined, rigorous program to develop the advanced liquid metal program and is opposed to this amendment.

This program is vital to our future energy plans and deserves our support. I urge my colleagues to defeat this amendment.

□ 1720

Mr. MORRISON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I serve as the ranking member of the Subcommittee on En-

ergy of the Committee on Science, Space, and Technology. I just want to share with my colleagues that this advanced liquid metal program that is the subject of the amendment proposed is an essential part of our long-term energy investment and that our work on the authorizing committee has been directly in line with the support that we have gotten from the Energy and Water Subcommittee and the appropriations bill they bring to us and also directly in line with the national energy strategy which we proudly passed to this House not too many days ago.

Let me also share a side of this liquid metal program with you that perhaps has not been mentioned in the debate thus far. The liquid metal reactor because of the fast neutrons involved is a research base for the fusion reactor and is now part of an international effort that we share with the Commonwealth of Independent States as well as many of the countries around the world as we collectively work on fusion. These reactors, in fact, serve as the research potential for the development of the fusion concept which we hope to have ready for our children sometime early in the next century.

It also is the research base for the development of space power. I think all of us are enormously proud of the exploration programs into space and this provides the foundation on which we build a number of new machines that have the potential of reaching into outer space and providing some developments that will be vitally important to us.

One other side of it that is vitally important is that these reactors have the capability of the production of medical isotopes, and these are so important to us as we develop new techniques for finding cures for a variety of problems that ail us around the world.

I can show you a liquid metal reactor in my area that, in fact, has that capacity of producing a variety of magnificent and exciting new isotopes that can be the cure for cancer or for AIDS or other diseases. Let us not terminate this program. It is a long-term investment that the Energy and Water Subcommittee has proudly supported and we should support it by defeating this amendment.

Mr. BEVILL. Mr. Chairman, I rise in opposition to this amendment.

I want to make this very brief.

I think this is one of the two most important nuclear research programs that we have, and we are putting billions of dollars, as a matter of fact an additional billions dollars over the President's budget, to try to control and clean up nuclear waste. This could be a partial answer to it. We would be using nuclear waste to make energy through the nuclear production of safe electricity. It is one of the two possible ways that we are going to have to make nuclear energy safe to produce.

The other one as you know is the gas cooled reactor.

So this is one of the two most important nuclear programs, and I urge you to vote no on this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. WOLPE].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. WOLPE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 141, noes 282, not voting 11, as follows:

[Roll No. 199]

AYES—141

Abercrombie	Goss	Pelosi
Ackerman	Guarini	Penny
Andrews (ME)	Hall (OH)	Petri
Andrews (NJ)	Herger	Rahall
AuCoin	Hertel	Ramstad
Bellenson	Horn	Rangel
Bennett	Hughes	Reed
Berman	Jacobs	Regula
Blackwell	Johnston	Richardson
Boehlert	Jontz	Ros-Lehtinen
Borski	Kennedy	Roth
Boxer	Kennelly	Roukema
Brewster	Kildee	Sabo
Burton	Klug	Sanders
Camp	Kopetski	Santorum
Campbell (CO)	Kostmayer	Savage
Clay	Lancaster	Sawyer
Clement	Lantos	Scheuer
Coble	Levin (MI)	Schroeder
Collins (MI)	Lewis (GA)	Sensenbrenner
Condit	Lowe (NY)	Serrano
Conyers	Luken	Shays
Costello	Machtley	Sikorski
Dannemeyer	Markey	Slatery
DeFazio	Marlenee	Slaughter
DeLauro	Martinez	Snowe
Dellums	McCloskey	Solarz
Dicks	McCurdy	Staggers
Donnelly	McDermott	Stark
Dooley	Miller (CA)	Stearns
Downey	Mink	Stokes
Dymally	Moody	Studds
Early	Mrazek	Swett
Edwards (CA)	Murphy	Synar
Edwards (TX)	Neal (MA)	Torres
Engel	Nussle	Towns
English	Oberstar	Unsoeld
Espy	Obey	Vento
Evans	Oliver	Washington
Feighan	Orton	Waters
Fish	Owens (NY)	Waxman
Flake	Owens (UT)	Weber
Foglietta	Pallone	Weiss
Frank (MA)	Panetta	Wheat
Gejdenson	Pastor	Wise
Gilchrest	Payne (NJ)	Wolpe
Gilman	Pease	Wyden

NOES—282

Alexander	Bereuter	Chandler
Allard	Bevill	Chapman
Allen	Billbray	Clinger
Anderson	Billirakis	Coleman (MO)
Andrews (TX)	Bliley	Coleman (TX)
Annuizio	Boehner	Collins (IL)
Anthony	Boucher	Combest
Applegate	Brooks	Cooper
Archer	Browder	Coughlin
Armey	Brown	Cox (CA)
Aspin	Bruce	Cox (IL)
Atkins	Bryant	Coyne
Bacchus	Bunning	Cramer
Baker	Bustamante	Crane
Ballenger	Byron	Cunningham
Barnard	Callahan	Darden
Barrett	Campbell (CA)	Davis
Barton	Cardin	de la Garza
Bateman	Carper	DeLay
Bentley	Carr	Derrick

Dickinson	Klecza	Ravenel
Dingell	Kolbe	Ray
Dixon	Kolter	Rhodes
Doilittle	Kyl	Riggs
Dorgan (ND)	LaFalce	Rinaldo
Dorman (CA)	Lagomarsino	Ritter
Dreier	LaRocco	Roberts
Duncan	Laughlin	Roe
Durbin	Leach	Roemer
Dwyer	Lehman (CA)	Rogers
Eckart	Lehman (FL)	Rohrabacher
Edwards (OK)	Lent	Rose
Emerson	Levine (CA)	Rostenkowski
Erdreich	Lewis (CA)	Rowland
Ewing	Lewis (FL)	Roybal
Fawell	Lightfoot	Russo
Fazio	Lipinski	Sangmeister
Felds	Livingston	Sarpalius
Ford (MI)	Lloyd	Saxton
Ford (TN)	Long	Schaefer
Franks (CT)	Manton	Schiff
Frost	Martin	Schulze
Galleghy	Matsui	Schumer
Gallo	Mavroules	Sharp
Gekas	Mazzoli	Shaw
Gephardt	McCandless	Shuster
Geren	McCollum	Sisk
Gibbons	McCrery	Skaggs
Gillmor	McDade	Skeen
Gingrich	McEwen	Skelton
Glickman	McGrath	Smith (FL)
Gonzalez	McHugh	Smith (IA)
Goodling	McMillan (NC)	Smith (NJ)
Gordon	McMillen (MD)	Smith (OR)
Gradison	McNulty	Smith (TX)
Grandy	Meyers	Solomon
Green	Mfume	Spence
Gunderson	Michel	Spratt
Hall (TX)	Miller (OH)	Stallings
Hamilton	Miller (WA)	Stenholm
Hammerschmidt	Mineta	Stump
Hancock	Moakley	Sundquist
Hansen	Mollinari	Swift
Harris	Mollohan	Tallon
Hastert	Montgomery	Tanner
Hatcher	Moorhead	Tauzin
Hayes (IL)	Moran	Taylor (MS)
Hayes (LA)	Morella	Taylor (NC)
Hefley	Morrison	Thomas (CA)
Henry	Murtha	Thomas (GA)
Hoagland	Myers	Thomas (WY)
Hobson	Nagle	Thornton
Hochbrueckner	Natcher	Torricelli
Holloway	Neal (NC)	Trafficant
Hopkins	Nichols	Upton
Horton	Nowak	Valentine
Houghton	Oakar	Vander Jagt
Hoyer	Olin	Visclosky
Huckaby	Ortiz	Volkmer
Hunter	Oxley	Vucanovich
Hutto	Packard	Walker
Hyde	Parker	Walsh
Inhofe	Patterson	Weldon
Ireland	Paxon	Whitten
James	Payne (VA)	Williams
Jefferson	Perkins	Wilson
Jenkins	Peterson (FL)	Wolf
Johnson (CT)	Peterson (MN)	Wylie
Johnson (SD)	Pickett	Yates
Johnson (TX)	Pickle	Yatron
Jones (NC)	Porter	Young (AK)
Kanjorski	Poshard	Young (FL)
Kaptur	Price	Zeliff
Kasich	Pursell	Zimmer

NOT VOTING—11

Bonior	Hefner	Quillen
Broomfield	Hubbard	Ridge
Fascell	Jones (GA)	Traxler
Gaydos	Lowery (CA)	

□ 1746

Messrs. ALLARD, WELDON, and DUNCAN changed their vote from "aye" to "no."

Messrs. SYNAR, LEWIS of Georgia, ESPY, PEASE, EDWARDS of Texas, OWENS of Utah, and BURTON of Indiana changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. PANETTA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage the gentleman from Alabama [Mr. BEVILL] in a colloquy to address additional funding for the San Lorenzo River control project.

The flood problems of the San Lorenzo River date back to 1955. In that year, the city of Santa Cruz suffered a disastrous flood, resulting in the death of 5 people and the displacement of 2,400 others, as well as damages estimated at some \$40 million in current dollars. In 1959, in response to this tragedy, the corps built a channel and levee flood control project, but sediment buildup eventually raised the riverbed to its original level. Studies after heavy storms in 1981-82 suggests that earlier information on river behavior and flows was erroneous and Congress authorized a new study.

This study was initiated 10 years ago and was interrupted by the 1989 earthquake. Presently, the city of Santa Cruz is threatened with the possibility of a flood. They have already experienced the devastation of the 1989 earthquake and are still in the process of recovering from that disaster. It is critical that this 30-year-old problem be rectified in a timely manner.

In order to ensure the continuity and swiftness of this project, I would like to request additional funding if the necessity arises. The city of Santa Cruz wants to have the requisite work completed in order that the project be eligible for authorization in fiscal year 1994. It is my understanding that the committee would not object to the corps reprogramming money to this project if additional funds are necessary to complete the feasibility study in fiscal year 1993.

Mr. BEVILL. Mr. Chairman, will the gentleman yield?

Mr. PANETTA. I yield to the gentleman from Alabama.

Mr. BEVILL. Mr. Chairman, the gentleman from California [Mr. PANETTA] is correct.

Mr. PANETTA. Mr. Chairman, I thank the gentleman from Alabama [Mr. BEVILL].

□ 1750

AMENDMENT OFFERED BY MR. WALKER

Mr. WALKER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALKER: On page 33, line 7, after "Fund" insert: "Provided, That \$6,000,000 of the amount appropriated in this paragraph is provided for hydrogen research".

Mr. WALKER. Mr. Chairman, hydrogen is potentially one of the most abundant, cleanest, long-term energy sources that this country has for its future. It has a virtually limitless free supply because it comes from water, and ultimately combusts back into water. So it is one of those energy

sources that if we are looking at energy alternatives for the future, we need to be doing some intense research on.

When the authorizing committee looked at this, we decided that we ought to have a line item for the hydrogen research program, and we put that in fiscal year 1993 in Public Law 101-218.

What this amendment simply does is puts into effect that authorization by providing money for that line item. It adds no money to the bill. It is simply an attempt to make certain that the Energy Department understands that this is a direction in which we want to go.

Mr. Chairman, I would urge the support of this amendment. It is my understanding that this is an amendment which is acceptable, but I would yield to the gentleman from California [Mr. BROWN], the chairman of the Committee on Science, Space, and Technology, for any comments he might want to make.

Mr. BROWN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, we have discussed this amendment. Not that my approval is all that important, but I want to say more importantly that the gentleman and I have both shared a common interest in hydrogen research for a number of years.

Mr. Chairman, I commend the gentleman for the amendment which he is offering, and I certainly intend to support it.

Mr. WALKER. Mr. Chairman, I yield to the gentleman from Indiana [Mr. MYERS].

Mr. MYERS of Indiana. Mr. Chairman, I thank the gentleman for yielding and thank him for discussing this amendment.

Mr. Chairman, this committee was aware of the line item in the authorizing committee's bill, but we were not able to appropriate money for this. The committee is well aware of the potential of hydrogen fuel for the future. The cost of production is one of the things hopefully this research will overcome.

Mr. Chairman, we accept this amendment on the Republican side.

Mr. WALKER. Mr. Chairman, I yield to the gentleman from Alabama [Mr. BEVILL].

Mr. BEVILL. Mr. Chairman, I thank the gentleman for yielding.

Certainly as far as I am concerned we accept this amendment and support the position of the gentleman from Pennsylvania [Mr. WALKER]. We feel that this is a good investment.

Mr. WALKER. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WOLPE

Mr. WOLPE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLPE: Page 33, line 4, strike "\$2,947,633,000" and insert "\$2,921,633,000".

Mr. WOLPE. Mr. Chairman, the intent of this amendment is to strike the \$26,000,000 from energy supply, research and development activities in title III of the bill that, according to the committee report, is devoted to the SP-100 space nuclear reactor program.

When it comes to wasting the taxpayers's money, the SP-100 program is in a class by itself. The program began in 1984 as a joint DOE-DOD-NASA program to develop nuclear reactors for use in space. According to the General Accounting Office, projected costs have tripled and the program is 13 years behind schedule. Over \$400 million has been spent to date. DOE has estimated that it would take \$2.1 billion and 12 years to complete the current phase of the program. No one seems to know how much it would cost to actually complete the program.

But after 8 years, no firm mission has been identified that will use an SP-100 space reactor and no firm mission is on the horizon. This program was initially developed to meet the wishes of SDI to use nuclear power in space as part of star wars.

But as SDI's plans changed, NASA became the focus of the program. While NASA has yet to identify a firm mission, let me tell you a little about the mission that seems to be highest on NASA's agenda. NASA is interested in using SP-100 technology to power a permanent manned settlement on the Moon. This raises some very serious questions.

There are no plans to build a containment around such a reactor on the Moon. They would just dig a hole, stick in the reactor, and mound dirt around the edges. An astronaut standing next to such a reactor would instantly receive a lethal dose of radiation. An astronaut within 180 meters would get an excessive dose. At the end of its useful life, these reactors would be decommissioned by a method known as in situ abandonment. That is just a fancy way of saying that they plan to just turn off the switch and rope off the area.

I find it mindboggling that those who want to create a permanent settlement would be so willing to create a radioactive no man's land on the surface of the Moon. DOE is knee deep in radioactive waste here on Earth as a result of 45 years of weapons production. In light of that, I am amazed at the cavalier attitude at DOE and NASA toward the adoption of technologies that will spread radioactive materials throughout the heavens.

But aside from its lack of a firm mission, the turmoil in this program can be seen by looking at the actions of the

major partners. DOE, which is managing the project, threatened to withdraw funding in 1989. General Electric, the prime contractor, recently tried to sell its space nuclear division, without success.

And the program was dealt a major blow last fall when DOD withdrew all support from the program, citing high costs, schedule delays, and DOE mismanagement. Only NASA hasn't tried to get out of the program. But NASA has never considered the program important enough to give it more than \$10 million a year. And there is no indication that NASA has any intention of increasing its contribution to make up for DOD's withdrawal.

It's time to pull the plug on this program right now for two major reasons.

First, it makes absolutely no sense to spend \$30 to \$40 million a year on a program that will cost \$2 billion to complete. We are throwing good money after bad. In the current fiscal environment, we cannot afford such waste.

Second, this program makes no sense in terms of our Nation's energy policy. DOE has already contributed more than half of the \$400 million spent on this project. Since the withdrawal of the Department of Defense, it is up to DOE and NASA to fund the rest of this project. NASA has never given more than \$10 million a year to this project and they are unable to make up for the lost funding due to DOD's withdrawal of support.

It is therefore up to DOE to make up the difference. But SP-100 technology has no earthly use. It cannot contribute to energy security. This technology can only be used in space. It makes no sense for the Department of Energy to continue to provide the majority of funding to a program that is of no use to us here on Earth. If this program is important to NASA, funds should be identified in NASA's own budget to pay for it.

Every dollar that DOE continues to waste on this program is a dollar that cannot be invested in programs that would make real contributions to energy security.

This is an opportunity to demonstrate to the American people that we are serious about cutting wasteful Federal spending. And if we cannot cut a program as obviously wasteful as this, the American people will have good reason to be cynical about our ability to control Federal spending.

This amendment has been endorsed by both the National Taxpayers Union and the Friends of the Earth. I urge you to give it your support as well.

□ 1800

Mr. MINETA. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise today in opposition to the amendment offered by my colleague, the gentleman from Michigan [Mr. WOLPE].

Mr. Chairman, the SP-100 program is the Nation's main effort to qualify a safe, long-life space nuclear electric system for future high-power civil and defense missions.

Since the inception of the ground engineering development phase of the SP-100 in 1987, the United States has invested about \$400 million in development of the program. The SP-100 program has made great technical progress despite severe funding shortfalls of almost 40 percent each year.

The March 12, 1992, GAO report showed that the cost growth and schedule delay has been governed by chronic underfunding, about 42 percent total underfunding since 1986.

The GAO audit did not reveal any evidence of waste, or insurmountable technical problems.

The GAO audit also pointed out that as much as \$700 million could be saved by adequately funding the program, and by taking advantage of progress to date to launch an early demonstration mission at moderate (10-15 kwe) power levels.

With the SP-100 technology and infrastructure developed to date, we have the capability to build and launch a low-power SP-100 demonstration system by the mid- to late-1990's.

Very recently, the SP-100 was reviewed by a team that included NASA, Air Force, DOE, SDIO, university, and U.S. National Laboratory experts. This team stated in its report that: "The SP-100 is unquestionably the most fully defined, designed and developed of any of the U.S. Space Nuclear Reactor System concepts." And, "Such a system could be a workhorse power supply for DOD and NASA missions."

My participation in Science, Space, and Technology Committee hearings and recent GAO and administration reports on the program, clearly illustrate to me the SP-100 technology is needed for both civil and defense applications.

Mr. Chairman, I do not think we should abandon this promising program that has made such great strides, and I strongly urge my colleagues to oppose the Wolpe amendment to terminate the SP-100 program.

Mr. WALKER. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

Mr. Chairman, this amendment really makes no sense, if what we are attempting to do is have a real future for space exploration.

This long duration power source is crucial for both surface and in-space applications for our space program for the future.

The gentleman from Michigan made a number of points about it. He, for instance, suggested that somehow this is not the kind of power plant we should take to the Moon. That is fine. The gentleman from Michigan opposes the space exploration initiative, so he opposes going back to the Moon in the first place.

So one can understand why he does not want to have a power source for that.

Mr. WOLPE. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Michigan.

Mr. WOLPE. Mr. Chairman, I do not oppose the space exploration initiatives.

Mr. WALKER. The gentleman voted against them in committee.

Mr. WOLPE. Mr. Chairman, if the gentleman will continue to yield, not the total initiatives. There are elements of the program I have raised questions about.

Mr. WALKER. But the gentleman voted against the program in committee when this gentleman was one of the members who was defending it.

Also this program does have some application to space station. The fact is that this is an alternative way of providing power to space station at a time when we have high power needs for space station. We could, in fact, produce power with an SP-100 and microwave the power to the space station as a way of increasing the power to space station and thereby allowing us to do more experimental and industrial type of work toward space station.

That does not bother the gentleman from Michigan either because he is against the space station. But the fact is, if we are going to do a lot of these advanced science programs, we are going to have to have the sufficient power to do them.

If we are going to do real industrial applications in space, I think there is a real future for producing materials in space that would really benefit the economy here on Earth.

We are going to have to have power sources. One of the ways of doing that is through this kind of program. I understand that the gentleman would cancel out those options for us for a long time to come and say that that is waste. I do not regard that as waste. I think it is extremely important to do some of these advanced programs, make certain that we have the capabilities to do things that we want to do in the future.

The gentleman well knows that without nuclear reactors, we cannot fly any kind of deep space mission. We cannot do deep space missions with solar power. So this is one of the ways of providing sufficient power to do real deep space efforts in the future.

Mrs. LLOYD. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Tennessee.

Mrs. LLOYD. Mr. Chairman, I thank the gentleman for yielding. I do rise in opposition to this amendment. I rise in opposition to the Wolpe amendment. This program and its funding requests have been reviewed by three sub-

committees on the Science Committee, and part of this program's funding was approved by the full Science Committee—of which the gentleman is a member. Today the Energy and Water Appropriation Subcommittee and the full Appropriation Committee review and judgment is before us.

One of the main criticisms of this program discovered in the gentleman's own hearing was that through consistent underfunding of the program, its progress has been severely hampered. DOE alone has invested about \$265 million in the past 10 years for its up front R&D investment in this program. Without completing this R&D, there is no hope that the other Federal agencies can pick up and finish this project. Further, if we cancel this power source without setting a new course for a future power source, we risk setting back our space exploration initiatives dramatically. It would take years to set a new course for future power sources for long-term space flights.

I urge my colleagues today to support the work of both the Committees on Science, Space, and Technology and Appropriations. We cannot blindly hack our way through the space budgets if we are going to continue a long-term space plan.

Mr. WOLPE. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Michigan.

Mr. WOLPE. Mr. Chairman, I thank the gentleman for yielding to me.

I want to express my appreciation to the gentleman for his candor in explaining as the rationale for the program, the perceived importance of this venture for the space program. I would point out that we are not debating NASA's budget today. We are debating the Department of Energy's budget. NASA has refused to provide the funding.

Mr. WALKER. Mr. Chairman, reclaiming my time, the gentleman knows that the program has been operating under an MOU that consists of the Defense Department, the Energy Department, and NASA. All have contributed to that program over a period of years. They are all committed to that memorandum of understanding.

So, therefore, the Department of Energy is an integral part of this. The Department of Energy does, in fact, have real interest in long-term space needs, not only in this program but in a number of other areas.

The Department of Energy sees needs for space work. Some of the work that we are doing on solar energy, for example, does involve space applications of that and involves the Department of Energy. So for the gentleman to imply that the only place we are going to do space activities in the future is in NASA is just completely ludicrous.

The Department of Commerce, Department of Transportation, all kinds

of departments are going to be involved in what we do in space in the future. The gentleman is looking to cancel out some of those options. I am disappointed in that.

I am a little tired, in all honesty, of Members coming to the floor and suggesting that the savings that we are going to get are savings in the technology that we need for this Nation to be productive in the future. We, if we are going to have an economy to address the 21st century, have to do some of these advanced projects.

I know the gentleman wants to cancel them all out. The gentleman was up here a minute ago canceling out a bill to do something about nuclear waste, and I understand he is antinuke. But the fact is, some of those options ought to be available to this country in the future. I think it would be a real loss to the country to have this program eliminated in kind of a cavalier way here on the House floor, because I think it really does have an important application to our technological needs in the future.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, I thank the gentleman for yielding to me.

The response to why it is in this budget and not in NASA's budget is that DOE is responsible for nuclear reactor research, development, and construction. That is the reason it is here, because that is where the technology is funded.

Mr. WALKER. Mr. Chairman, I thank the gentleman.

In other words, the gentleman from Michigan would have us transfer the nuclear power programs over to NASA, I guess. I doubt that that is what he really wants to do, because then he would argue that NASA is no place to put nuclear power. So the fact is that this is needed here because of the way the Government is structured.

Mr. WOLPE. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Michigan.

Mr. WOLPE. Mr. Chairman, I think there is some confusion in terms of the point I was attempting to make. My point is not that the Department of Energy cannot be involved, and ought not be involved, in this kind of effort. It has the expertise that can be involved.

The point I am trying to make is that the argument that has been advanced in favor of this program is its importance to the national space program of the United States.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALKER] has expired.

(On request of Mr. WOLPE, and by unanimous consent, Mr. WALKER was

allowed to proceed for 1 additional minute.)

Mr. WOLPE. Mr. Chairman, if the gentleman will continue to yield, the reason for the underfunding has been the Department of Defense pulling out. NASA itself refused to fund more than \$10 million a year on this project. The question is, who pays?

If this is so important to the space program, why has NASA itself been so resistant to assuming a larger share of the costs.

DOE can continue to do the work on a cost-reimbursement basis, payout, receiving the funding from NASA's own budget, if this is really vital to the space program.

□ 1810

Mr. WALKER. The fact is that in some elements we do have shared responsibilities within Government that make some sense. Any funding problems in this have largely resulted from the fact that we have had funding cuts in the program, and the subsequent stretching out of the program. DOE has testified to that effect, so this is not a problem that has been created by the people that are running the program. This is a problem that has been created in large part by the way in which we funded it.

I must congratulate the committee in this particular case, because what they have done is, they have avoided the pitfall by giving it the \$26 million, which is the requested level for the program. I would suggest the House stick with them.

Mr. BEVILL. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to this amendment.

Mr. Chairman, I would like to point out that this amendment would preclude the availability of a power source that is uniquely suited to the future civilian and military space missions, so this would deny NASA and the Department of Defense the capability to conduct many missions, and it would undercut the Nation's ability to conduct future space programs, and it would cause the layoff of many personnel. Of course, again we are talking about jobs here in this bill. It would increase the U.S. reliance on foreign technology, and set back the U.S. leadership in the space industry.

Therefore, I urge the Members to vote "no," to vote "no" on this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. WOLPE].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. WOLPE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 233, not voting 12, as follows:

[Roll No. 200]

AYES—189

Abercrombie	Guarini	Pease
Ackerman	Gunderson	Pelosi
Allard	Hall (OH)	Penny
Allen	Hayes (IL)	Peterson (FL)
Anderson	Henry	Peterson (MN)
Andrews (ME)	Herger	Petri
Andrews (NJ)	Hertel	Porter
Aspin	Hochbrueckner	Poshard
Atkins	Horn	Ramstad
AuCoin	Hughes	Ray
Bellenson	Jacobs	Reed
Bennett	Jefferson	Richardson
Berman	Johnson (CT)	Roemer
Blackwell	Johnston	Ros-Lehtinen
Boehlert	Jontz	Rostenkowski
Borski	Kanjorski	Roth
Boxer	Kennedy	Roukema
Brewster	Kennelly	Russo
Bruce	Kildee	Sanders
Burton	Kleczka	Sangmeister
Camp	Klug	Santorum
Carper	Kopetski	Savage
Clay	Kostmayer	Sawyer
Clement	LaFalce	Scheuer
Coble	Lancaster	Schroeder
Collins (IL)	Levin (MI)	Sensenbrenner
Collins (MI)	Lewis (GA)	Serrano
Condit	Lipinski	Sharp
Conyers	Long	Shays
Costello	Lowe (NY)	Sikorski
Cox (IL)	Luken	Skaggs
Coyne	Machtley	Skelton
Dannemeyer	Manton	Slattery
de la Garza	Markey	Slaughter
DeFazio	Marlenee	Snowe
DeLauro	Martinez	Solarz
Dellums	Mavroules	Solomon
Dingell	McCloskey	Spratt
Donnelly	McDermott	Staggers
Dooley	McMillan (NC)	Stark
Dorgan (ND)	Meyers	Stenholm
Downey	Mfume	Stokes
Duncan	Miller (CA)	Studds
Durbin	Mink	Swett
Dymally	Moakley	Swift
Early	Molinar	Synar
Eckart	Moody	Tanner
Edwards (TX)	Mrazek	Tauzin
Engel	Neal (MA)	Thomas (WY)
English	Nowak	Towns
Espy	Nussle	Unsoeld
Evans	Oberstar	Upton
Ewing	Obey	Vander Jagt
Foglietta	Oliver	Vento
Ford (MI)	Orton	Washington
Ford (TN)	Owens (NY)	Waters
Frank (MA)	Owens (UT)	Waxman
Gaydos	Pallone	Weiss
Gedensson	Parker	Wheat
Gilchrest	Pastor	Williams
Glickman	Patterson	Wolpe
Goss	Payne (NJ)	Wyden
Grandy	Payne (VA)	Yates

NOES—233

Alexander	Bunning	Doolittle
Andrews (TX)	Bustamante	Dorman (CA)
Annunzio	Byron	Dreier
Anthony	Callahan	Dwyer
Applegate	Campbell (CA)	Edwards (CA)
Archer	Campbell (CO)	Edwards (OK)
Armey	Cardin	Emerson
Bacchus	Carr	Erdreich
Baker	Chandler	Fascell
Ballenger	Chapman	Fawell
Barnard	Clinger	Fazio
Barrett	Coleman (MO)	Feighan
Barton	Coleman (TX)	Fields
Bateman	Combest	Fish
Bentley	Cooper	Flake
Bereuter	Coughlin	Franks (CT)
Bevill	Cox (CA)	Frost
Bilbray	Cramer	Gallely
Bilirakis	Crane	Gallo
Bliley	Cunningham	Gekas
Boehner	Darden	Gephardt
Boucher	Davis	Geren
Brooks	DeLay	Gibbons
Broomfield	Derrick	Gillmor
Browder	Dickinson	Gilman
Brown	Dicks	Gingrich
Bryant	Dixon	Gonzalez

Goodling	Mazzoli	Rogers
Gordon	McCandless	Rohrabacher
Gradison	McCollum	Rose
Green	McCrery	Rowland
Hall (TX)	McCurdy	Roybal
Hamilton	McDade	Sabo
Hammerschmidt	McEwen	Sarpaluis
Hancock	McGrath	Saxton
Hansen	McHugh	Schaefer
Harris	McMillen (MD)	Schiff
Hastert	McNulty	Schulze
Hatcher	Michel	Shaw
Hayes (LA)	Miller (OH)	Shuster
Hefley	Miller (WA)	Sisisky
Hobson	Mineta	Skeen
Holloway	Mollohan	Smith (IA)
Hopkins	Montgomery	Smith (NJ)
Horton	Moorhead	Smith (OR)
Houghton	Moran	Smith (TX)
Hoyer	Morella	Spence
Huckaby	Morrison	Stallings
Hunter	Murphy	Stearns
Hutto	Murtha	Stump
Hyde	Myers	Sundquist
Inhofe	Nagle	Tallon
Ireland	Natcher	Taylor (MS)
James	Neal (NC)	Taylor (NC)
Jenkins	Nichols	Thomas (CA)
Johnson (SD)	Oakar	Thomas (GA)
Johnson (TX)	Olin	Thornton
Jones (NC)	Ortiz	Torres
Kaptur	Oxley	Torricelli
Kasich	Packard	Traficant
Kolbe	Panetta	Valentine
Kolter	Paxon	Visclosky
Kyl	Perkins	Volkmer
Lagomarsino	Pickett	Vucanovich
Lantos	Pickle	Walker
LaRocco	Price	Walsh
Laughlin	Pursell	Weber
Lehman (CA)	Rahall	Weldon
Lehman (FL)	Rangel	Whitten
Lent	Ravenel	Wilson
Levine (CA)	Regula	Wise
Lewis (CA)	Rhodes	Wolf
Lewis (FL)	Ridge	Wyllie
Lightfoot	Riggs	Yatron
Livingston	Rinaldo	Young (AK)
Lloyd	Ritter	Zeliff
Martin	Roberts	Zimmer
Matsui	Roe	

NOT VOTING—12

Bonior	Jones (GA)	Schumer
Hefner	Leach	Smith (FL)
Hoagland	Lowery (CA)	Traxler
Hubbard	Quillen	Young (FL)

□ 1832

The Clerk announced the following pair:

On this vote:

Mr. Hoagland for, with Mr. Quillen against. Mr. LEHMAN of California changed his vote from "aye" to "no."

Messrs. BURTON of Indiana, GUNDERSON, and ASPIN changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. If there are no further amendments to this paragraph, the Clerk will read.

The Clerk read as follows:

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

For expenses of the Department of Energy in connection with operating expenses; the purchase, construction, and acquisition of plant and capital equipment and other expenses incidental thereto necessary for uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of electricity to

provide enrichment services; purchase of passenger motor vehicles (not to exceed 57, of which 54 are for replacement only), \$1,335,320,000, to remain available until expended: *Provided*, That revenues received by the Department for the enrichment of uranium and estimated to total \$1,462,000,000 in fiscal year 1993 shall be retained and used for the specific purpose of offsetting costs incurred by the Department in providing uranium enrichment service activities as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of section 3302(b) of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced as uranium enrichment revenues are received during fiscal year 1993 so as to result in a final fiscal year 1993 appropriation estimated at not more than \$0.

GENERAL SCIENCE AND RESEARCH ACTIVITIES
(INCLUDING TRANSFER OF FUNDS)

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses incidental thereto necessary for general science and research activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 10 for replacement only), \$1,448,884,000, to remain available until expended. In addition, such sums as are transferred from the Superconducting Super Collider Trust Fund shall be available, until expended, for the specific purpose of offsetting costs incurred by the Department in the design and development of the Superconducting Super Collider.

AMENDMENT OFFERED BY MR. BROWN

Mr. BROWN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN: On page 34, line 35, insert after the words "Superconducting Super Collider." the following: None of the funds made available by this Act shall be obligated for the superconducting super collider after June 1, 1993, unless the President has certified to the Congress that commitments for contributions from international sources meet or exceed a total of \$650,000,000 for fiscal years 1993, 1994, and 1995.

The CHAIRMAN. Pursuant to the rule, the gentleman from California [Mr. BROWN] will be recognized for 15 minutes, and a Member opposed will be recognized for 15 minutes. Is there any Member who wishes to speak in opposition to the amendment?

The Chair recognizes the gentleman from California [Mr. BROWN].

Mr. BROWN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, to reassure the Members, I will be rather brief on this.

As I understand it, there will be no one speaking in opposition to this amendment and I believe the committee will accept it, but I wanted to explain the situation clearly.

We will have two amendments dealing with the superconducting super collider. The first one is the one that I am now offering jointly with my good

friend, the gentleman from Pennsylvania [Mr. WALKER], the ranking minority member of the Committee on Science, Space, and Technology. Following what I hope will be the unanimous acceptance of our amendment, there will be another amendment offered by the gentleman from Ohio [Mr. ECKART] to strike all the funding for the superconducting super collider.

Let me now explain why I prefer the approach which I am offering.

Mr. Chairman, there has been no one in the House who has been more concerned about the financial impact of the superconducting super collider on other science budgets than I have. At least for the last year, I have been trying to make it clear to the Department of Energy and to anybody else who would listen that while I was a very strong supporter of the superconducting super collider, I would not continue to support it if I felt that continued financing of the SSC threatened the health of other very important physics projects throughout the United States. I have made that clear not only to the Secretary, I have discussed my concern with the distinguished chairman of the subcommittee on Energy and Water, the gentleman from Alabama [Mr. BEVILL].

I feel that there is a uniform understanding that my support, continued support, is conditioned upon the availability of funds to maintain the other research programs supported by the Department of Energy. I am now informed that some Members may have received a communication in an envelope which has my name on it, which contains a reprint of an article describing the concern in many circles that some science projects would be frozen out by the superconducting super collider. I did not send that communication out.

□ 1840

I am familiar with the article. I share many of the concerns expressed in that article, but I have come to the conclusion that it is possible to continue to fund the superconducting super collider if we have a solid commitment of support from foreign sources up to a specific amount, which is about \$1½ billion.

Now, what my amendment does is to write into the law, write into this bill a provision that says that future funding for the superconducting super collider is contingent upon access to foreign funds in an amount equal to \$665 million over the next 3 years.

The administration has said they expect to be able to get this amount of foreign funding. Only with this amount of foreign funding will we avoid undue pressure on other scientific projects. I think we ought to write that into the law. That is the purpose of this amendment.

Now, I am not proposing this amendment as a fig leaf to cover up anything.

as some have asserted. I am confessing to you that I have my own qualms about whether we can continue to fund this project. At this point I think we can if we get those foreign commitments. I want to write that into the appropriations bill, and with that understanding I will continue to support it.

It is good science. It is world class science. It is an important economic boost to the country in these times. We need it for any number of reasons. I will not belabor them because we will have another debate on the amendment of the gentleman from Ohio [Mr. ECKART] in which I can belabor them at great length. But I am trying to explain to you the circumstances which lead me, a strong supporter of the SSC, but afraid of our ability to finance it in the future, to propose this amendment which in effect conditions future support on the availability of foreign assistance to fund it.

Now, in authorizing future big science projects, I intend to make sure from the inception that there are adequate assurances that there will be international support for such projects. If possible these projects will be broken down into smaller elements, so that we do not create such large targets which make it easy for some of our dear friends to strike these projects out and say that we are going to balance the budget.

What these Members are doing is threatening investments vital to the future of America, but investments which have to be more carefully planned than they have been in the past.

Mr. Chairman, once again, whole forests have been leveled to bring us a flood of "Dear Colleagues" from supporters and opponents of the superconducting super collider.

When all of the charges and countercharges are distilled, however, there really is only one dispute about the SSC. That dispute, pure and simple, is about money.

If money were no object, there would be no debate on the SSC today. After all, the opponents of the SSC do not really challenge the fact that the SSC represents the cutting edge of high energy physics research. Nor do the opponents of the SSC disagree with the importance of investment in fundamental research, whether or not it leads to practical spinoffs and commercial applications. Everyone recognizes the importance of the SSC's creation of good jobs for our Nation's scientists and engineers, at a time when defense cutbacks have threatened many high technology jobs. Finally, I doubt that the SSC opponents would be raising so much concern about the relatively minor problems associated with the management and the construction of the SSC if money were no object.

But, as last week's debate on the balanced budget amendment so plainly reminds us, this is assuredly not a world of unlimited resources. We cannot effort everything, and therefore we must make choices. The question therefore really boils down to a simple one:

Can we afford the SSC?

Mr. Chairman, after studying this issue closely, my conclusion is "no—not by ourselves." This Nation no longer has the resources to go it alone on big science projects, and with the demise of the cold war, much of the prior rationale for going it alone has died as well. In the future science megaprojects must be truly international efforts, designed from the very beginning for international collaboration and cost sharing.

It has long been apparent that the Federal Government cannot afford to pay the full \$8.2 billion cost of the SSC by itself. To do so would require massive reductions in other critical science programs, including other high energy physics programs. The space shuttle *Challenger* tragedy painfully reminded us of the perils of putting all our resources into a single technology, and I have long taken the position that we could not afford the SSC at the cost of killing or maiming other critical scientific programs.

Since early 1991, the Department of Energy has assured us that \$2.7 billion would be obtained from non-Federal sources: \$1 billion from the State of Texas, and the remaining \$1.7 billion from foreign contributions. Despite aggressive efforts, however, the administration remains far from the necessary commitments.

We simply cannot afford to continue to front load the SSC with U.S. taxpayer funds in the vague hope that promised international contributions will be forthcoming—someday. The time has come to set a reasonable deadline, and to stick to it.

Mr. Chairman, the amendment which I am offering with Mr. WALKER, the ranking Republican member of the Committee on Science, Space, and Technology, is simple and straightforward. It conditions the availability of funds for the superconducting super collider after June 1, 1993, on a certification by the President that we have in hand commitments for \$650 million in international contributions for the next 3 fiscal years. This commitment would represent nearly half of the \$1.7 billion international contribution which the administration has budgeted to receive for the entire project, and is consistent with the administration's own projected schedule.

The administration has said that it can achieve this goal. Our amendment takes the administration at its word.

Mr. Chairman, this amendment is not a fig leaf for Members to find a way to support the SSC. It is an amendment with real consequences. It is an amendment aimed at helping reduce the Federal budget deficit. If the administration does not have solid commitments for the next 3 years of foreign funding for the SSC by June 1, 1993, we pull the plug. No more funding for the SSC.

Moreover, Members will still have the opportunity to vote to kill the SSC completely, even if this amendment is adopted, when Messrs. ECKART, SLATTERY, and BOEHLERT offer their motion to strike all funding for the SSC.

Mr. Chairman, I support the SSC, but I cannot support it at any cost. If we can build the SSC only with foreign contributions, then we need to see something more than expressions of confidence that those contributions are forthcoming. We have been asked to up the ante, and its time to see the other player's

cards—indeed, it's time to see whether there's even another player in the room.

I urge the Members to support the amendment, and I reserve the balance of my time.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I am happy to yield to the gentleman from Pennsylvania, my good friend and cosponsor of this amendment.

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding to me.

I do rise as a cosponsor of this amendment which is intended to ensure that the U.S. taxpayers get relief from some of the costs associated with the superconducting super collider project as it moves forward.

I join Chairman BROWN, the distinguished chairman of the authorizing committee, in urging adoption of the amendment, which would require the President to certify that significant foreign commitments are in hand before Federal funding is released. This action would permit the considerable scientific and technical benefits of the SSC to be realized, but only with the assurance that the total project cost will be shared by the international community.

You will hear the argument today that we cannot afford projects like the SSC with our astronomical national debt; however, without a world-class science and technology base, we will never generate the level of economic growth necessary to finally escape this great sea of red ink in which we are now drowning.

Two other factors are worth mentioning.

First, highly visible and productive world-class projects like the SSC can strengthen our international role in the new world economy where our security will be based as much on economic and technological strength as on military power.

Second, in light of the planned defense budget reductions, projects like the SSC take on a much increased importance in maintaining the Nation's high-technology base in providing jobs for our engineers and scientists.

But while it is appropriate and important that the United States take the lead on projects like the SSC, the fact is that we cannot afford big science on our own. We simply must have international cooperation and funding on these projects. We are doing this with the space station *Freedom*. We are doing this with the Department of Energy Fusion Energy Program. And with adoption of this amendment we will ensure that the Department of Energy will keep its promise to construct the SSC with significant international contributions.

The very worst thing that could happen to the SSC would be to stretch the program out, which will inevitably lead to massive cost overruns. It is time to make a clean and clear decision on the

future of the SSC, and international commitments need to be a critical part of that decision. With international participation we minimize the exposure of the American taxpayer, and assure that other high-priority science and technology programs do not sink under the weight of the super-conducting super collider.

So, Mr. Chairman, I urge the adoption of the Brown-Walker amendment.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I would be happy to yield to the gentleman, but let me first yield to my colleague, the gentleman from Michigan.

Mr. BOEHLERT. Well, Mr. Chairman, I understand that is the way things work around here.

Mr. WOLPE. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Michigan.

Mr. WOLPE. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I want to say first of all how much I have appreciated service on the Committee on Science, Space, and Technology, under the chairmanship of the gentleman from California [Mr. BROWN]. One of the real privileges of serving this body for these past 14 years has been to work with the distinguished gentleman from California.

What I particularly value is that even at the times we have had differences in our evaluation of specific programs or projects, the gentleman from California has always been totally supportive of the most aggressive and independent oversight.

While we have attempted to undertake that oversight this past year on the super collider, along with my distinguished ranking member, the gentleman from New York [Mr. BOEHLERT], in my judgment, and we will get into this part of the debate when we get beyond this particular amendment, the oversight has revealed enormous deficiencies that are not addressed by the amendment that is before us.

I have indicated to the gentleman from California that I am not going to object to this amendment. I will support it because I do not think it does any greater damage than has already been done by this project, but I must say in all candor that it is not clear to me that it does much of anything that is very positive.

First of all, it does nothing to resolve the many problems afflicting this project, its undetermined price tag, the cost overruns, the poor management, the waste and abuse by the contractors, the continual drain on other science initiatives that was alluded to a moment ago.

I think some are going to see this amendment perhaps as an easy way out of making the hard choices on budget cuts that I think we have to make if we

are going to get the deficit under control; but more importantly in terms of the specific issue of foreign contributions, the subject matter of this amendment, I hope it is clear to all the Members of this body that the Department of Energy has made very clear that it intends to derive a number of these alleged foreign contributions by sole source contracting to people overseas in other countries that will be able to manufacture some of these products at lower cost than they could otherwise be manufactured in the United States because of low-cost labor. In these instances, American firms will not even be involved in competing for those particular contracts.

In other words, what is really going to be happening is that the DOE is planning to award noncompetitive sole source contracts to purchase high-technology plants overseas that will be manufactured with low-cost labor and then count any savings from the projected purchase price as foreign contributions. Many of the high-technology jobs that are promised by the SSC are going overseas in order to exploit cheap labor.

I do not think that is what Members of this body had in mind when we were talking about foreign contributions, and there is nothing in this amendment that would provide a hard and fast definition to prevent that kind of abuse of the foreign contributions provision. I think the gentleman will agree with me on that.

Mr. BROWN of California. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from California has 5 minutes remaining. The gentleman from New York, if he wishes, may claim 15 minutes of his own time in opposition.

Mr. BROWN of California. Mr. Chairman, the gentleman cannot claim 15 minutes. He is a supporter of the amendment.

The CHAIRMAN. Then the gentleman from New York cannot claim 15 minutes.

Mr. BROWN of California. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Chairman, I am glad to support the amendment. The amendment is just a make-me-feel-better amendment. It does not have any real substance.

Do not for a moment let anyone here be misled. What this amendment does is tell the Department of Energy that they have to take their budget seriously. That is no grand pronouncement. Of course I support it. All of us should support it by a voice vote.

We have not addressed the fundamental question. Can we afford this project here and now?

Given the fact that this Nation has a \$4 trillion national debt, given the fact

that we are spending \$886 million every single day, every 24 hours, just in interest on that national debt, that money does not feed anyone or clothe anyone or educate anyone or take care of anyone's health care needs or make us more competitive. It just services the national debt.

□ 1850

Now, all of us, or most of us, over 400 of us, last week voted for one form or another of the balanced budget amendment. All of us probably will tell the people back home, "We are in there fighting for you, we are going to get ahead on that deficit, we are going to whittle down that debt, and we are going to do it without raising taxes."

Boy, talk about wishful thinking.

Well, maybe we can. We should be creative enough to do that. I will tell you how we can do it: We can start establishing some realistic priorities and say to these big-ticket items like this, "It is good science, I don't fault that, but it is not priority science, and we will put this in the background for now until we can get our fiscal house in order."

So I would urge all of my colleagues, those who support the SSC and the emerging majority that oppose it, to support Brown-Walker.

Mr. BROWN. Mr. Chairman, I thank my distinguished colleague. I will contain myself and not respond to his statement until we are in the debate on the other amendment.

Mr. Chairman, I yield such time as he may consume to the chairman of the subcommittee [Mr. BEVILL].

Mr. BEVILL. I thank the gentleman very much for yielding.

Mr. Chairman, I rise in support of this amendment. I think this amendment is a good compromise. As a matter of fact, my friend and colleague from Michigan says that continuing this project is going to cost jobs, it is going to do this, and so forth. Actually, if his amendment to kill the program passes, it is going to cost 7,000 jobs. That is how many employees there are working on the SSC project.

So if the SSC is eliminated, there are 7,000 jobs that are gone.

I think that should be made clear.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. BEVILL. I yield to the gentleman from New York.

Mr. BOEHLERT. I thank the chairman for yielding.

Mr. Chairman, what we have to understand, and I would appreciate if the gentleman from Alabama would address this very sensitive point, in talking about jobs—and we are all concerned about that: jobs is my favorite four-letter word—but the fact of the matter is you have a limit on the high-energy physics budget. What happens to those jobs at the Stanford linear accelerator in California? The Fermilab

in Illinois? The Brookhaven National Laboratory on Long Island in New York? What happens to those jobs?

Mr. BEVILL. That lab, for all practical purposes, is fully funded. There is an appropriation for the upgrade of the Fermilab, \$15 million, if I recall. All this is along the lines recommended in the President's budget. So we have no apology for what has happened on the rest of general science.

Mr. BROWN. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana [Mr. MYERS], the ranking minority member of the subcommittee.

Mr. MYERS of Indiana. I thank the gentleman for yielding.

Mr. Chairman, this is something our subcommittee has talked about, has requested and demanded that there be help from our international friends. There is one concern here, however. We were requested to fully fund it at the President's request of the \$650 million, thinking if we did not come up with that additional \$166 million, it might be difficult to raise the money from other sources.

But I think with a sound vote here today on final passage of this bill, with the commitment that we will continue to build, we will have no problem, really, getting the international commitments.

So this amendment is accepted on the Republican side.

Mr. BROWN. Mr. Chairman, I will take the matter up with the gentleman from New York after this is over. I have just 30 seconds left. Let me just conclude by saying that the Appropriations Committee, recognizing the tight budget situation, has cut \$160 million out of the superconducting super collider account. With that, they have been able to continue to fund Fermi and Princeton and other projects. They have not cut SLAC, but they may have to in the future, if we do not get a funding commitment from foreign sources. SLAC, as a matter of fact, is seeking funding for a new start. But there are no new starts being funded, and in today's budgetary situation there probably will not be for a number of years. Many scientists are concerned about that. But they are going to have to accept some sacrifices, just as other programs in this bill have.

With that, I request a vote on the amendment offered by myself and the gentleman from Pennsylvania [Mr. WALKER].

The CHAIRMAN. If no Member wishes to claim time in opposition, all time has expired.

The question is on the amendment offered by the gentleman from California [Mr. BROWN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I ask unanimous consent that I may offer an amendment to this paragraph.

Mr. ECKART. Mr. Chairman, I reserve the right to object.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. ROEMER: Notwithstanding any other provision of this bill: No money appropriated in this legislation shall be used to create a condition which allows any country which has a financial obligation to the United States' superconducting super collider to exchange or supplant, in any way, machinery, equipment, technology or other substitute in lieu of their monetary obligation.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. ECKART. Mr. Chairman, reserving the right to object, and I do so without prejudice to the amendment of the gentleman, I wish to make sure, in a parliamentary inquiry, that my rights still under the rule are preserved for the motion to strike which was to take place at the conclusion of Mr. BROWN's presentation with the Brown-Walker amendment.

The CHAIRMAN. This amendment would not influence the gentleman's ability in any way.

Mr. ECKART. And my rights are still protected in the motion to strike?

The CHAIRMAN. The gentleman is correct.

Mr. ECKART. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BEVILL. Mr. Chairman, I rise to reserve a point of order on the amendment.

Mr. ROEMER. Mr. Chairman, I offer this amendment as a supporter, but a supporter with some concerns and caveats about this project. My amendment is fourfold, Mr. Chairman. One is the inherent tension within this program, the tension, the catch-22—

PARLIAMENTARY INQUIRY

Mr. BARTON of Texas. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. BARTON of Texas. Mr. Chairman, I was on my feet requesting a rollcall vote when the gentleman from Indiana [Mr. ROEMER] was recognized, and I have got witnesses over here to prove that. The chairman just happened to be looking the other way.

The CHAIRMAN. The request is not timely at this point. Another amendment is pending.

The gentleman from Indiana [Mr. ROEMER] may proceed.

Mr. ROEMER. I thank the Chair.

Mr. Chairman, as I was saying, the purpose of my amendment, with concerns and caveats about the superconducting super collider, is fourfold. First, about the tensions and conflicts within the project. Second, about the definition of the contribution. What do

we mean by a contribution from another country? Third, technology and jobs for Americans. And, fourth, the cost of this program.

Let me briefly talk about all four of these concerns, and I will be very brief.

First of all, in looking at this, is this in the inherent tension in this program, is this a program for jobs for Americans, things that we build so well and we are so proud of? Or is this an international project where we are going to go about putting our hand out, saying we need money to confront this problem? And finally, when; on achieving the big-science program goals that we seek? I think we as Americans can build this well, that we should not be hat-in-hand going across the world trying to make this an international project.

Second, what constitutes, what defines a contribution? I think this is a key point that we have not attempted to hone in on.

What is a contribution? Is it technology? Is it more money? Is it a combination or a hybrid of both? And at what point does a technological or equipment contribution then replace a monetary contribution?

This could cause severe problems for us in the future down the line.

Third, I already have, Mr. Chairman, companies in my district and throughout Indiana, talking about the Japanese replacing some of their cash contribution or monetary contribution with equipment and machinery that will take, ultimately, jobs away from Americans.

And last, Mr. Chairman, I think one of the concerns for all of us is the cost. In the 1990 authorization act passed by Congress, we said this, and I quote from page 36,

The committee has determined the total project construction costs and the maximum Federal contribution to the cost of the SSC construction be controlled. The committee believes that allowing Federal expenditures beyond the \$5 billion amount is unwarranted and is a disincentive for tough cost-control measures.

□ 1900

So, I think, Mr. Chairman, we do have to address some of these concerns. I applaud the chairman, the gentleman from California [Mr. BROWN], and the ranking member, the gentleman from Pennsylvania [Mr. WALKER], for their previous amendment. I think that moves in the right direction to look at some of these problems. I think my amendment moves even further on cost control, on looking to protect American jobs and technology, and to try to, at least, define what a contribution means.

Mr. BROWN. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from California.

Mr. BROWN. Mr. Chairman, the gentleman from Indiana [Mr. ROEMER] has

shared his amendment with me, and it raises a number of questions, which I think are valid. Unfortunately the amendment is subject to a point of order, and I anticipate that the point of order will lie against it.

I want to assure the gentleman, regardless of the outcome of the point of order, that the points that he has raised are very high on my own priority list for examination in my committee. I expect the gentleman, a member of the committee, to press those points in the committee as we proceed, both this year and next year, to reauthorize these programs and to set more stringent rules with regard to how to count foreign contributions and how to deal with the other things which the gentleman has raised.

Mr. ROEMER. Mr. Chairman, I thank the gentleman from California [Mr. BROWN], and I would just follow up by asking the gentleman to have some very specific hearings, if he would be willing to do that, on this program as well, too.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. ROEMER] has expired.

Does the gentleman from Alabama [Mr. BEVILL] insist on his point of order?

Mr. ROEMER. Mr. Chairman, I ask unanimous consent, with those kind contributions from the chairman the gentleman from California [Mr. BROWN], and with his willingness to have hearings to look into the nature and the definitions of these concerns, to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. The amendment of the gentleman from Indiana [Mr. ROEMER] is withdrawn.

Are there other amendments to this paragraph?

AMENDMENT OFFERED BY MR. ECKART

Mr. ECKART. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ECKART: Page 34, line 19, strike "\$1,448,884,000" and insert "\$998,884,000".

Mr. ECKART. Mr. Chairman, before I proceed to the discussion of the amendment, I ask unanimous consent that all discussion on this amendment be limited to 2 hours, and that the time be equally divided between the gentleman from Texas [Mr. CHAPMAN] and myself, the gentleman from Ohio [Mr. ECKART].

The CHAIRMAN. Does the gentleman in his unanimous consent request include his amendment and all amendments thereto?

Mr. ECKART. Yes, Mr. Chairman, I do.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. ECKART].

Mr. ECKART. Mr. Chairman and my colleagues, last year we took about 4 hours to do this, so, hopefully, between the gentleman from Texas [Mr. CHAPMAN] and his colleagues, and myself and mine, we can at least guarantee a bit of dinner and an opportunity to air this issue out, which is rather straightforward.

Just a few minutes ago, Mr. Chairman, we did something that made us feel good. It was an amendment, very simply, that said we want and expect foreign countries to participate in the construction of this project. The number used was not the number that has been agreed to, but the reality is that now, having made ourselves feel good, we now have a real opportunity to do some good.

The amendment that I offer in conjunction with my colleagues, the gentleman from New York [Mr. BOEH-LERT], the gentleman from Kansas [Mr. SLATTERY], and the gentleman from Michigan [Mr. WOLPE] will deplete the funding for the continued construction of the superconducting super collider project.

Mr. Chairman, there are a number of reasons why we should decide to end this project, mostly because this has become truly the project of broken promises.

When we were led to believe that this project could be built first in 1983, we were told that the total cost would be about \$3.9 billion. In 1986 it jumped to \$4.2 billion in 1988, to \$5.3 billion and then later, in 1989, to \$5.9 billion, and most recently the Department of Energy's own independent cost estimate has soared to \$11.25 billion. On top of that, Mr. Chairman, the good work of the committee suggests that we will spend \$500 million a year maintaining and operating this program. The general science programs of this budget saw an increase of 12 percent, or \$179 million, to a total of \$1.6 billion. However, as Physics Today magazine tells us with great alacrity: In the administration's budget request the single largest recipient of that increased spending was the superconducting super collider.

Mr. Chairman, the cost is simply out of control, and lest we believe that we have significant reins on those runaway costs, let me share with my colleagues a letter from the Deputy Secretary of Energy, W. Henson Moore, in which he said, and I quote:

"I have learned that the overrun problems are continuing and may even be getting worse."

Mr. Chairman, this January 1992, letter underscores the fundamental flaw in this bill, and that is we are spending money we do not have, on projects we do not need.

We were advised by the supporters of this project that they wanted to be

judged on their performance. I assumed that we should judge them on their performance and their promises. This project of broken promises has failed to fulfill the promises: First, of costs—runaway costs that have almost tripled in the 7 years of discussions about it. We have failed to fulfill the promises of foreign participation. We were told by my colleague from Texas in the debate in May 1991, that he fully expected \$1 billion from the Japanese in support. I guess we should build it and they will come because the reality is that we have not seen \$1 billion from the Japanese. We have seen a lot of sushi, we have seen a lot of soft efforts, we have seen a lot of trade difficulties, but the fact of the matter is that, since the inception of this project, it has been consistently told to us that between one-fifth and one-third of the total expenditure will come from foreign sources. We were told that there would be a ceiling on Federal dollars. That promise was broken, too. Despite the fact that this House has persistently and consistently voted to cap Federal Government participation at \$5 billion, the clock continues to run and the costs continue to soar. We were promised that they could deliver on the detectors and budgeted \$500 million for the two of them. The first one has come in at \$720 million, and they have given up trying to build the second one. We were promised that we would see no outside influences exercised on the construction of this project. The reality is that they are spending U.S. taxpayers' dollars to solicit sole-source government contracts in foreign countries to do away with American jobs. We were promised that communities and countries such as Russia would support this initiative, yet just earlier today we saw the bold and brave President of the Russian Federation hold his hand out, as if holding a tin cup, asking us for money—to do what? To feed his people! And now he is expected to support our cost overruns and our science projects.

No, Mr. Chairman, we can build it, but they will not come. This project of broken promises, which has never met the cost estimates, which fails to generate the amount of money that DOE said foreigners would support, which is technically flawed and economically deprives this Nation of real science—promoted in real areas that would accomplish real things of importance to real Americans—has resulted only in jobs going overseas.

Mr. Chairman, I say to my colleagues, the only thing that will be colliding under the land in Texas are taxpayers' dollars, and the reality is that we offer you today an opportunity to say enough is enough.

Many of you joined me in voting in support of a constitutional amendment to balance the budget. You did so out of desperation, and I offer this amendment almost in the same vein. Today

we have an opportunity to put our votes where our voices were last week, and we need to acknowledge with clarity to our constituents that simply saying we felt good about voting for a constitutional amendment, but ate every piece of pork that came our way, just won't cut it anymore.

Mr. Chairman, we can build it, but they will not come. But it is the performance and the broken promises of this project that dooms it.

Someone said to me, "Why do you want to kill the project?"

The reality is that I, or my colleagues, will not kill this project. The SSC is committing suicide. It commits suicide by failing to be honest with us and with the taxpayers as to how much it will cost. It commits its own suicide when it proposes to rob from other important laboratories around the United States technological needs to run it. It commits its own suicide when the officials of the Department of Energy fail to admit to the Congress that they have no adequate cost controls in place to protect ultimately the taxpayers who have to pay for it. And it commits its own suicide when it sells jobs to overseas countries in the name of foreign competition.

□ 1910

The reality is that the President of the United States can certify anything he wants. We were certified as to peace in Central America just 10 years ago. This same education or environmental President can certify he supports education or the environment. But the reality is that we know better.

The adoption of the Eckart amendment today will make it clear that we have, as the President admonished us on the steps of the Capitol at the beginning of his term, much more will than wallet. But the reality of this amendment is that we are going to put our wallet first.

Mr. Chairman, I reserve the balance of my time.

Mr. CHAPMAN. Mr. Chairman, under the unanimous consent agreement by which I was yielded 1 hour for debate, I yield 30 minutes of that time to the gentleman from Texas [Mr. BARTON].

The CHAIRMAN pro tempore (Mr. TAYLOR of Mississippi). Without objection, the gentleman from Texas [Mr. BARTON] is recognized for 30 minutes.

There was no objection.

Mr. BARTON of Texas. Mr. Chairman, I thank the gentleman for yielding this time, and I yield myself such time as I may consume.

Mr. BARTON of Texas. Mr. Chairman, we are here this evening hopefully to engage in a rational debate about a very important policy option that this country is pursuing. That policy option is the policy to continue to be the world leader in basic research. As an extension of that policy, the sub-debate is to continue to be a world

leader in high energy physics research through building and operating what we are calling the SSC, the superconducting super collider.

To start that debate I would like to read into the RECORD in its entirety a letter dated today, June 17, from George Bush, the President of the United States, at the White House.

THE WHITE HOUSE,
Washington, June 17, 1992.

Hon. THOMAS S. FOLEY,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: As you are aware, I am strongly committed to continue construction of the Superconducting Super Collider. It is a crucial investment in our Nation's scientific, technological, and economic future.

This program is well managed and has made significant technical progress. It has attracted many of the finest scientific and technical minds in our country. Our national laboratories, over 100 universities, and our Nation's most advanced high-tech industries are actively engaged in this important endeavor.

We have come far with this vital program, and now is not the time to falter. Any slowing down will result in an eventual increase in the cost. In addition, any reduction in our commitment to the Super Collider would not only jeopardize ongoing negotiations with potential international participants just as those negotiations are yielding positive results, but would also undermine the United States' reputation as a reliable international partner.

We cannot afford to relinquish our leadership in science and technology. Our Nation's economic competitiveness and standard of living rests on it. Therefore, I urge the House to reject any amendment to H.R. 5373, the Energy and Water Development Appropriations Bill, that would eliminate funding for the Super Collider.

Sincerely,

GEORGE BUSH.

Mr. Chairman, I would also like to respond to a comment made by the distinguished gentleman from Ohio [Mr. ECKART] in regard to a letter written by Henson Moore to Dr. Schwitters, the Director of the SSC lab, talking about potential management problems.

Mr. Chairman, I interpret that letter as a positive step in managing the project, and I would like to not read it in its entirety, but just submit for the RECORD a letter from the Secretary of Energy dated yesterday to the gentleman from Michigan, the Honorable HOWARD WOLPE, House of Representatives, in response to the letter that the gentleman from Ohio [Mr. ECKART] was talking about. It basically states, paraphrasing the letter, that the interpretation that the gentleman from Ohio [Mr. ECKART] and others have given to Mr. Moore's letter was dead wrong. In fact, this letter says, "Your letter is wrong."

Mr. Chairman, I submit the letter from Admiral Watkins to the Honorable HOWARD WOLPE for the RECORD.

THE SECRETARY OF ENERGY,
Washington, DC, June 16, 1992.

Hon. HOWARD WOLPE,
House of Representatives, Washington, DC.

DEAR MR. WOLPE: I want to respond to your June 15, "Dear Colleague" letter about

the Superconducting Super Collider (SSC). Your letter, entitled "DOE Doublespeak," alleges that the Department of Energy (DOE) has not done a good job of managing the SSC project and has not told Congress the truth. Your letter is wrong.

The DOE statements you quote in your letter are proof that we have a good management system that identifies potential problems, takes corrective action immediately, and monitors the performance of the corrective action. Unfortunately, your letter misrepresents the facts by comparing statements about the actual performance of the project (on time and within budget) with theoretical estimates of what would happen if DOE chose to do nothing about the potential problems we identify. Thus, you are wrong in implying that SSC construction costs will exceed the level DOE promised Congress. As a result of all the corrective actions taken to date, including a reduction in staff by the project architect/engineer/construction manager, we are confident that we can complete the SSC project within the baseline reported to Congress in 1991. In short, you have taken good news and tried to turn it into bad news. This does a disservice to the people who are working so hard to make the SSC a successful project.

I am proud of the way DOE has managed this multi-billion dollar project. The SSC is being built on schedule and in accordance with the cost we provided Congress almost a year and a half ago. With adequate funding from Congress, I am confident that this record of success will continue.

Sincerely,

JAMES D. WATKINS,
Admiral, U.S. Navy (Retired).

Mr. Chairman, I talked to Henson Moore about that letter. He stated that when he sent it, the super collider laboratory officials immediately replied. They had a meeting in Houston within a week of receiving the letter. Mr. Moore was satisfied that significant steps were being taken to get the AE/CM and the contractor more responsive. Mr. Moore, before he left to go to the White House, as deputy chief of staff, signed off on the plan that the laboratory presented to correct the problems identified in his earlier letter.

I also want to point out that the SSC is the next generation of national laboratories in this country. We have in existence today Brookhaven National Laboratory in New York, Fermi National Laboratory in Illinois, Oak Ridge National Laboratory in Tennessee, Lawrence Livermore National Laboratory in California, and Sandia National Laboratory in New Mexico.

These are world class assets. They are not viewed as pork barrel projects. They are viewed as tremendous national assets that have enhanced our Nation's competitiveness in this century.

The super collider laboratory is the next generation of those laboratories. It is vital that we build it, and it is vital that we operate it.

Mr. Chairman, I would also like to speak briefly to the allegations of the opponents that our budget numbers do not add up. Much has been made of the

\$4 billion original estimate, or the \$3.9 billion original estimate. I would simply point out that those were generic estimates in the mid-eighties, before a site had been chosen and before the project had been engineered.

The \$8.2 billion cost estimate that the SSC is being built to was submitted to the Congress in January of 1991. The laboratory is working under that official cost estimate and it is meeting that goal.

Mr. Chairman, I want to repeat that. The SSC is meeting that goal. The budget that they have submitted, the funding that they have spent, has been under that budget and is slightly ahead of schedule.

Mr. Chairman, I must admit that if we continue to underfund the President's and the laboratory's request, that eventually that number may escalate. But so far it is under budget and on schedule.

This year the President asked for \$650 million. The Subcommittee on Appropriations and full committee has voted for \$483 million. That is a hard freeze. That is the same amount of money that the Committee on Appropriations allocated last year. That is a hard freeze, not a freeze suggested for inflation, not a freeze suggested for expanded scope of work. That is a hard dollar freeze, \$166 million less than the President asked for, and actually \$66 million less than the laboratory is spending at annual rates of expenditure today.

Last, I want to talk about the international aspect of the project. The gentleman from California [Mr. BROWN], the chairman, and the ranking Republican, the gentleman from Pennsylvania [Mr. WALKER], mentioned this when they put their amendment in that we accepted by unanimous consent to require the President to certify by June 1, 1993, that at least \$650 million of foreign participation would be forthcoming for the fiscal years 1993, 1994, and 1995.

The SSC is an international project. There are already over 800 international scientists working on the project. We have international agreements that have been signed. The Government of India has already signed an international agreement. A national laboratory in Russia has signed a laboratory-to-laboratory agreement to work on the SSC. The Koreans have signed a working group agreement. And as we speak, we have a working group in Tokyo negotiating with the Japanese on just what their level of participation should be.

Mr. Chairman, if you go by the official baseline estimate of \$8.2 billion, we need to generate \$1.7 billion in foreign participation. I am confident that between now and next June, you will see the Secretary of Energy, the Secretary of State, and the President of the United States initial and bring forward

agreements that will meet that commitment.

Our opponents are correct when they state that we do not have a large commitment from a single international partner. We do not have that yet. But we are working in good faith to have a large agreement concluded, and I believe that we will have that.

Mr. Chairman, I simply ask my colleagues tonight as they vote on this very important amendment that we need to think about our competitiveness in the future. We need to think about the ability to create technology and to commercialize that technology in the 21st century. If you feel the need to continue to be a world leader, then we should vote against the Eckart amendment and allow the SSC to continue to be built.

Mr. Chairman, I reserve the balance of my time.

Mr. ECKART. Mr. Chairman, will the Chair advise how much time is remaining to each Member?

The CHAIRMAN pro tempore. The gentleman from Texas [Mr. BARTON] has 22 minutes remaining, the gentleman from Texas [Mr. CHAPMAN] has 30 minutes remaining, and the gentleman from Ohio [Mr. ECKART] has 52 minutes remaining.

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Mr. ECKART. Mr. Chairman, I yield myself 30 seconds.

I would like to point out that in May 1990, one of our colleagues from Texas, told us that "I am pleased to report that the Department of Energy has completed its international plan and will soon begin consultations with potential foreign contributors to the project."

I point out to my colleagues that today in 1992, in June, once again we are promised that the Department of Energy has a plan, much like Ross Perot's plan to balance the budget and Richard Nixon's plan to end the war. Very clearly, we have heard these promises before.

I just want to see cash money on the barrel head. The fact of the matter is, we have none.

Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Chairman, I rise in support of the Eckart amendment. The gentleman from Ohio [Mr. ECKART] is absolutely right in saying that the patience of the American taxpayers ought to be exhausted on the superconducting super collider.

When this idea was first proposed several years ago, we were told that there would be significant international cooperation and that the cost would be somewhere in the neighborhood of \$4.8 to \$5 billion.

There have been gross cost overruns of this project. The present estimate is that the project will have a total cost

of \$8.2 billion, and practically everybody who has viewed this matter objectively says that that is unreasonably low. And there has been no international financial participation agreed to to date in terms of actually providing cash to offset the cost of this project to the American taxpayers.

The Canadians bailed out when the site was located in Texas and not straddling the border between upstate New York and Canada. The Europeans were never interested in providing international cost sharing because they have got their own project in Geneva, Switzerland. And try as the United States might, we have never gotten any money from the Japanese.

The first week on December 1991, Secretary Watkins and an entourage spent a considerable amount of time in Tokyo trying to get a commitment from the Japanese and came back completely emptyhanded.

The proponents of the super collider are saying the international money is coming. It is coming. It is coming. But they have had years to try to get the international money. And aside from the promise of \$10 million from India and some laboratory-to-laboratory participation, there has been no international cooperation.

Unless there is, the American taxpayer is going to be holding the bag.

There is another very important point in this debate. We all know that with the deficit being out of control, we are operating with a finite and shrinking number of dollars to deal with scientific research projects. The super collider, if it is not stopped now, will eat up those dollars and leave few, if any, dollars left for less costly science projects that take place in our laboratories and in our universities all throughout the country.

The message should be quite plain. Voting against the Eckart amendment means that every member will be able to get less money for less costly science in their own States and their own districts, and we will send more and more money to Texas for the super collider.

I would hope that we would recognize that the super collider has not met up with the expectations upon which the Congress and the public were sold initially. The time has come to put a stop to the hemorrhage of dollars that is going into this project, and that can be done tonight through the adoption of the Eckart amendment.

Mr. CHAPMAN. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. BROWN], chairman of the Committee on Science, Space and Technology.

Mr. BROWN. Mr. Chairman, I thank the gentleman from Texas for yielding time to me.

Let me first go through a little history of superconducting super colliders. In high energy physics,

breakthroughs in new knowledge are always achieved by construction of higher powered machines for producing collisions between the ultimate particles of matter. That has been going on for a couple of generations.

I have been following those colliders for most of those two generations. We have had some successes, and we have had some failures. We have had some excellent science from earlier versions, such as the collider at the Fermilab and the Stanford linear accelerator, which is not a circular collider but a linear collider.

Nobel prizes have been won as successively higher levels of power were reached and the collisions became more effective in producing new subatomic particles of matter that have never been known before.

We have tried to build, and failed, a collider known as ISABEL, which had the support of the New York delegation because it was being built on Long Island. But it was never finished for technical reasons. The magnets did not turn out to be effective, and it was canceled. But the high energy physics community has gone on to plan for a new generation of even more powerful machines.

Today the world's largest collider is in Switzerland. And it makes Europe the acknowledged center of high-energy physics for the entire world. No one belittles the science that is being produced there. It is drawing American researchers, physicists and other researchers. It is drawing researchers from around the world who are constantly struggling for the opportunity to participate in the experiments going on there in Switzerland.

The Europeans are attempting to upgrade that collider, incidentally, to give it additional power.

The superconducting super collider in Texas is 20 times more powerful than CERN, the next most powerful machine. There is absolutely no question in the scientific community that the SSC will restore America's role as the preeminent nation in the world in high-energy physics. And the site in Texas will become a Mecca, a magnet that will draw researchers of the highest quality from all over the world. It will not have European financial participation, as the gentleman from Wisconsin [Mr. SENSENBRENNER] indicated. And the reason is very simple. The Europeans have their own facility. They are trying to upgrade it. It is taking all the money they have to develop it. Therefore, they are uninterested in providing money to a competing collider in the United States.

So we are not even looking to Europe for participation in this. We are looking to the have-nots of the world of high-energy physics, which basically means the newly rich countries of Asia, Japan, Korea, Singapore, and other countries in that area. We think that

what they are waiting for, and I know the negotiations have been long and drawn out, is an indication that the United States knows what it is doing and is going to continue. They have not been assured of that in the past.

What I am telling my colleagues is that this is the world's best scientific machine for exploring the ultimate nature of matter, and it is so recognized by every person in the high-energy physics community around the world. There is no question about that.

Recent studies, recent evaluations by the High-Energy Physics Advisory Board, commissioned by the Department of Energy, have uniformly come to the same conclusion that this project is the highest priority project in physics in the United States.

They have also come to the conclusion that at the present time it is not threatening to freeze out money for other worthy but not quite as high priority physics projects, such as Fermi, and the Stanford linear accelerator.

□ 1930

Mr. BARTON of Texas. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. PACKARD], who is a member of the authorization committee, the Committee on Science, Space, and Technology.

Mr. PACKARD. Mr. Chairman, there is one topic which has fixed this Congress' attention: The economy. Time, energy, and ideas have been devoted to the state of our Nation's economy in the postcold war era. We have debated the good and the bad. The most encouraging debate I participated in was how to spur economic growth in this country. The downside of our economic debate focused on unemployment benefits.

The center of all of our economic debates were about one thing: Jobs. At the heart of our economic growth debate was how do we best encourage the creation of jobs and the expansion of economic enterprise. At the heart of our unemployment debate was helping those Americans who don't have jobs.

Before us today is the energy and water appropriations bill. I submit to my colleagues that the funding in the bill for the superconducting super collider [SSC] will contribute to economic recovery, create jobs, and ensure American competitiveness into the 21st century.

The SSC is being built to conduct scientific and technological research that will lead us through this period of economic conversion. As the victors of the cold war, we must retool an economy geared toward building and maintaining the greatest military force the world has ever known, to an economy geared toward competition and efficiency. This will allow us to meet the economic challenges of the next century.

Across the Nation, defense and aerospace companies have been hit hard by

reduced defense spending. In California alone, it is estimated that up to 300,000 jobs will be eliminated in these industries. My concern is for the men and women who devoted their skill and expertise to the goal of our national defense. Those in the defense and aerospace industries and those who served in our military, which is also downsizing, deserve our gratitude. They also deserve an economic atmosphere where they can put their skills and expertise to work. In short: They need jobs.

The SSC will create high-technology employment in California, which has been hit especially hard as the cold war has drawn to a close. If we pass this legislation, important subcontractors for the SSC including aerospace and defense companies will be funded; these are the industries that led California's unprecedented economic boom. The loss of jobs in these industries is making the economic downturn in California extremely tough. Those in the California delegation should recognize that full funding of this project means that we put many of these high-tech employees back to work.

The economic benefits of the SSC are not exclusive to Texas. For example, California has been awarded over \$84,041,753 in contracts in research funding from both DOE and the State of Texas. The California high-energy physics community has a very heavy stake in the SSC. The project is attracting many of California's young scientific talent. The creative energy of these young men and women can only translate into scientific advances for our country.

We can absorb and recover from the negative economic impacts that every congressional district in this Nation will feel due to reduced defense spending. The strategy we must embrace to accomplish this is devotion of our money and energy toward technology that can revolutionize the way we live and work.

The SSC is a perfect example of economic conversion. The SSC demands similar engineering, manufacturing fabrication and management skills that have been the foundation of the aerospace and defense industry.

The construction of the super collider will also create blue-collar jobs. Construction will take 10-years. It is estimated that SSC will generate up to \$19.5 billion in economic impact over the 10-year duration. Presently, over 18,000 procurement awards and contracts have been awarded to businesses in 46 States.

The SSC will also contribute to the tradition of leadership in scientific research and technological advancement the United States has enjoyed. America's technological competitiveness is key if we are to maintain preeminence as a world power. Already, over 880 American scientists from over 100 uni-

versities around the country are working on two large detectors at SSC. Thirteen institutions in California are receiving funding to contribute to this scientific undertaking. These participating universities, in turn, have added high-energy physics to their curriculum, in order to participate in this research well into the 21st century.

We can not fully realize the technological benefits we will reap as a result of the SSC. Since the 1940's the United States has been the leader in high-energy physics. The benefits we have gained in everyday life as a result: electronics, nuclear medicine, nuclear power, x-ray machines and semiconductors. None of these advances were even imagined when these scientists were building their labs, or conducting their research.

It is expected that industry will be able to capitalize on numerous commercial applications of technology pioneered in SSC research. Such applications may include superconducting magnetic energy storage [SMES], magnetic levitated trains [MAGLEV], electrical power generation and many more unforeseeable advances at this time.

Mr. Chairman, fully funding the SSC will provide immediate and vital economic stimulation, will engage the best and brightest minds in our universities and scientific community, and produce technological advances which will keep America competitive in the global marketplace as well as improve our daily lives. We risk losing our preeminence in superconductivity by failing to fund the SSC.

I urge my California colleagues to vote no on this amendment to kill the SSC. California will benefit from the SSC. As the Nation will benefit from the SSC. I urge my colleagues to pass the SSC full budget request, and thus spark a flame that will light us into the next century.

Mr. ECKART. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. SMITH], a member of the Committee on Appropriations.

Mr. SMITH of Florida. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, over the last few years I have believed what we were told by our colleagues about the value of this project, and have voted for funding for this superconducting super collider. This year I have decided to switch my vote and support the effort to end funding for this expensive project.

My colleagues have pointed out the myriad faults that this program has encountered, but I feel there is a larger issue here. Even if the super collider had gotten far in funding, which it has not, even if the project was on time and under the original budget and under control, which it is not, even if the project would result in significant technological spinoffs, which it will not, the question remains: In this time

of diminishing resources and incredibly tremendous needs, is the super collider a high-priority project, worthy of funding? I feel it no longer is.

Our new infrastructure is falling apart in this country. Our children are graduating high school without an education. Our health care is lagging behind the rest of the Western World and is more expensive every day, and our budget deficit is soaring. It simply does not make any sense to fund an \$8.25 billion science experiment that is simply research for the sake of research.

Last week the gentleman from Texas [Mr. BARTON] authored a constitutional amendment to balance the budget solely through spending cuts. He has also been on the floor today leading this fight against this amendment and to preserve the super collider. I am not sure such a balanced budget is possible, but if it is, the super collider could never survive the budget fiscal discipline.

The gentleman from Texas [Mr. BARTON] is obviously a contortionist, being on two opposite sides of fiscal policy at the same time. The problem is, Mr. Chairman, very few of us can be that contradictory physically or politically.

Last week the gentleman from Texas spoke of making tough choices, as many in this House have spoken over the last few years of making tough choices, of having the discipline to shun needless spending and the strength to cut out the fat. If we had unlimited resources, I would be a lukewarm super collider supporter. However, in these tough budget times, the super collider is pure fat, and I urge the House to support this amendment to trim that fat.

Mr. CHAPMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia [Mr. PAYNE].

Mr. PAYNE of Virginia. Mr. Chairman, I rise in support of the superconducting super collider and urge my colleagues to vote against this amendment to further reduce the House Energy and Water Appropriations Subcommittee fiscal year 1993 allocation for this project.

We have all heard about the importance of the super collider to our Nation's scientific research program and about the technological advancements we can expect from SCC research. These are vitally important to our national interest. As a result of our national commitment to this program, we have already invested \$1 billion since 1986 to develop and build the SSC. And out of this \$1 billion investment, 90 percent has been reinvested into the economy.

Mr. Chairman, I would like to address the impact technological advances derived from the SSC have on our industrial base in this country.

Many countries in our defense industry are making the difficult transition from being a supplier of military equip-

ment to becoming much broader based manufacturers of high technology products. Many of those same engineers, technicians, and manufacturing workers are now deeply involved in engineering and building the advanced components required for the SSC accelerator. This is an important program utilizing our available resources to convert our shrinking defense industrial base to high technology applications.

The SSC technology which is being transferred to U.S. industry will provide the applied science for many of these former defense equipment suppliers to build new civilian product lines based on superconductivity. Potential commercial applications of this critical technology include superconducting magnetic energy storage for utilities, maglev vehicles for future transportation needs, highly efficient electric generators, ultrafast computers, and numerous other budding technologies.

It is important to note that as these highly trained workers are applying these skills to new SCC technologies, we will be preserving critical skills needed for our defense industrial base.

I believe the SSC is a step toward the future in developing our high technology research capabilities while wisely keeping our work force employed. In my district alone, Babcock & Wilcox, a major defense contractor that supplies all Navy nuclear fuel, will shift 150 employees from their defense-related industries to SSC production in order to lessen the impact of diminishing defense dollars. This is going on all over the country and it is a trend we must encourage. As we continue to allocate our scarce Federal dollars toward economic conversion and repositioning our defense industries, I believe the SSC is one avenue we can pursue in keeping our high technology jobs productively engaged.

Mr. Chairman, I urge my colleagues to oppose this amendment.

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Mr. BARTON of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. GALLO], a member of the Committee on Appropriations and the Subcommittee on Energy and Water Development of the full committee.

Mr. GALLO. Mr. Chairman, I thank the gentleman from Texas for yielding the time and also thank him for his steadfast support for the super collider.

Mr. Chairman, I rise in opposition to this amendment and in support of the committee's recommendation to fund the super collider.

The super collider is an important scientific project for the United States to pursue. The SSC will be the most powerful accelerator of its type in the World and we cannot afford to continue to have our heads buried in the sand

when it comes to high tech American research projects.

The SSC may seem like a big project, however, the subcommittee's mark of \$484 million means that the allocation for the SSC is only point 6 percent of the Federal R&D budget. The SSC is not a revenue drainer. It's a revenue enhancer.

It has been estimated that during the construction phase, the SSC will create up to \$19.5 billion in economic impact and will create many needed jobs. Already, over 19,000 contracts have been awarded in 46 States creating more than 6,000 jobs.

The SSC is more than a world-class science facility. It is an investment in American technology that will provide our country with a substantial return on our investment. I urge you to oppose this amendment.

Mr. ECKART. Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from Pennsylvania [Mr. MURPHY].

Mr. MURPHY. Mr. Chairman, last week we had a very difficult choice to face here in this House, and every Member faced that with great trepidation and some of us with misgiving. We had the choice of then voting for a balanced budget amendment to our Federal Constitution. And as I meditated over that choice I thought shall we postpone the decision of our national debt and pass it on to some future generation after the States had ratified it several years down the line, shall we pass it on by not adopting that to our children and grandchildren.

The obvious choice to me was that we had to vote against that particular amendment, and I am disappointed to see my colleagues who were so vociferous favoring that amendment now standing before this House and asking us to spend millions more in discretionary dollars for something that is not necessary for our security, is not necessary for the welfare of the American people. I vowed last week when I had to make that hard choice that I would from that day on vote against every appropriation and for every amendment to cut an appropriation that was not absolutely necessary for the well-being of the American people, and this is one of those issues.

Yes, it may have been good when we had a lot of money. It may have been good when we were told that our foreign competitors would chip in and help pay for it. That is not the case, my friends. Our foreign competitors have left us holding the financial bag, and yet the contracts for that work are being exported overseas. We are importing materials for that, and the American taxpayer is asked to bear the burden one more time.

I say join us in stopping this foolish expenditure by adopting this amendment.

Mr. ECKART. Mr. Chairman, I yield 6 minutes to my colleague, the gentleman from Michigan [Mr. WOLPE].

Mr. WOLPE. Mr. Chairman, I want to say that in all of the years that I have been in this Congress, and particularly in the period of time that I have been involved in the oversight of various agencies of this Government of ours, I do not think I recall an instance in which there has been a bigger gap between the public claims of a department—in this instance the Department of Energy—before my committee of jurisdiction, and the reality that emerged in the internal documents of the Department of Energy when they were finally made available to the committee.

I think it is important that everyone in this body understand that for months and months the Department of Energy totally dissimulated in insisting that there were no documents along the lines that we had requested of them. They misrepresented the situation with respect to the SSC, claiming repeatedly in public sessions that this was a project that was on budget, on schedule.

We subsequently learned that as far back as September 1990, the Department of Energy understood very clearly that there were some very serious cost overrun problems. Then, in May 1991, several months later, Department officials were still insisting in front of our committee in public session, that everything was OK, under budget, on schedule.

In January 1992, we learned subsequently, Mr. Henson Moore, the Deputy Secretary of Energy, actually wrote a letter to Mr. Roy Schwitters of the Universities Research Association, the principal contractor on the project. I want to read some portions of that letter. I think everybody needs to understand this very clearly.

Mr. Moore wrote:

Dear Roy, when I visited the SSC site in October 1991, I held a meeting with you, Ed Siskin, Paul Reardon, and Joseph Cipriano to discuss cost problems that were developing in the conventional construction area. I was assured at that time that these were known and were being taken care of.

Today, I have learned that the overrun problems are continuing and may even be getting worse. I am extremely upset at this news and URA's response. As far as I am concerned, drastic measures may have to be taken to address this problem, because it must not continue and the actions taken thus far appear to me to be woefully inadequate.

Conventional construction should be the easiest part of the project. The high technology seems to be going well. With the recession and availability of architects, engineers, and construction companies, there is no reason for overruns, especially in the administrative area. You have known about this problem for some time and have not addressed it.

This shows to me a lack of management ability on the part of URA when it comes to conventional construction.

Mr. Moore then goes on to say that if the plan is not satisfactory to him:

I intend to instruct our attorneys to examine our contract to see what remedies are available to the Department.

The important point here is not only that there were very dramatic management problems in the administration of the SSC project, but that the public statements being made to members of my committee totally contradict the understanding that was being communicated internally within the Department.

So I have to tell you, for this Member of Congress, Secretary Watkins and the Department of Energy have lost all credibility, and I think any Members of this body who are banking once again on that same promise of the SSC being on budget and on schedule, are buying an enormous pig in the poke.

The reality is that the Department of Energy does not even have in place yet an integrated administrative mechanism to know whether the SSC is on cost, on schedule. They have not even put that in place yet. We have had reports from the inspector general of the Department of Energy, and we have had testimony from the General Accounting Office, identifying in pretty ugly detail, frankly, the mismanagement of this project.

□ 1950

Again, it is not only the mismanagement that's deeply troubling. It is, frankly, the deception in which the Department of Energy has repeatedly engaged in the way it has discussed this project publicly with the members of my committee and the Members of this Congress.

There is one last point I want to make this evening. The Department of Energy undertook, in its office of policy, an internal analysis to evaluate all of the science programs that were being funded by the Department of Energy on the basis of the merits of these programs. The director of the policy office specifically directed that the analysis should not consider political sensitivities, just the merits. And that analysis yielded a rank order in which the super collider came out 10th of the 11 programs, and the Office of Policy recommended it be deemphasized in the Department's funding request. Yet today the SSC, the super collider, commands over one-fourth of the Department of Energy's entire science budget in the President's fiscal year 1993 budget request, and is allocated almost 80 percent of the entire high-energy physics budget in the appropriation bill that we are now considering.

So, my colleagues, this is a project that is buried in doublespeak. It represents an enormous waste of taxpayer dollars. We cannot afford it. We could not afford it, in my judgment, in earlier budget years. Certainly now, if we are to have any credibility in the light

of last week's debate over the balanced budget that our Nation so desperately requires, we cannot afford to support this wasteful project yet one more time. It is time to call it quits. It is time to kill the super collider.

Mr. BARTON of Texas. Mr. Chairman, I yield myself 3 minutes to try to directly respond to the previous comments of the gentleman from Michigan.

First of all, the gentleman from Michigan [Mr. WOLPE] talks about an information gap and the lack of credibility on the part of the Department of Energy in responding to his subcommittee's requests. Let me simply state that the gentleman from Michigan [Mr. WOLPE], in the exercise of his duties which he has exercised very aggressively, and I do not have a problem with that, has attempted, in my opinion, to conduct an almost grand-jury-like inquisition. He has sent multipage letters to the Department of Energy asking for any and every document ever written pertaining in any way or every way to the construction, operation, or management of the SSC. He has requested that the General Accounting Office detail permanent employees on site and here in Washington to monitor and report on the progress or lack thereof of the SSC. Again, that is an appropriate function of his duties as subcommittee chairman. But it is certainly an unusually aggressive approach to a project that we are trying to build and work with the Congress in a good-faith way.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I am happy to yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I would like to point out, addressing specifically the point just made by my friend, the gentleman from Texas, that the gentleman from Michigan [Mr. WOLPE] did what he did in terms of information requests in his capacity as chairman of the Subcommittee on Investigation and Oversight of the Committee on Science, Space, and Technology with the full support of the ranking minority member. And I am privileged to serve in that part.

Mr. BARTON of Texas. I understand. I am not denying the ability or the legality or even the functionality of what the gentleman from Michigan [Mr. WOLPE] has done. I am simply saying that when you ask for any and every document that has ever been written about and then send people continuously to monitor it, it does make it difficult to build and operate the project.

Mr. BOEHLERT. If the gentleman will yield further, I can say, I can swear on a stack of Bibles that the request was never for any and all documents ever associated with the SSC.

Mr. BARTON of Texas. I will provide that letter for the RECORD.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE, SPACE,
AND TECHNOLOGY,
Washington, DC, February 18, 1992.

Hon. JAMES D. WATKINS,
Secretary, Department of Energy,
Washington, DC.

DEAR MR. SECRETARY: As part of the Subcommittee's ongoing review of the SSC program and project, we request that you supply the Subcommittee with the following materials:

1. The July 1991 report of the Program Advisory Committee by the GEM detector team.
2. The October 1991 reports of the Program Advisory Committee by the GEM and SDC teams.
3. The December 1991 reports of the Program Advisory Committee by the GEM and SDC teams.
4. Copies of all results to date from PB/MK's geotechnical exploration plan.
5. Copies of geology reports done by the Texas Bureau of Economic Geology.
6. Complete copies of Cost Performance Reports from January 1, 1991 to date. Note that if these reports do not allow tracking of the cost of work performed against the budgeted cost for work performed, please provide to the committee the data used by the Office of the Superconducting Super Collider to track such costs or an explanation of why such data are not collected.
7. Copies of the U.S. Geological Survey study of flood conditions at the SSC site referenced in answer #73 of the Department of Energy's May 20, 1991 letter to the Subcommittee.
8. Copies of the SSCL surveillance reports on the Construction and Magnet Divisions.
9. Copies of audits performed by the Office of the Superconducting Super Collider of (a.) allowable costs and (b.) URA oversight of the AE/CM.
10. Analysis of the costs of manufacturing superconducting magnets in Japan (mentioned in a January 7, 1991 briefing to Science, Space, and Technology Committee staffers by Dr. Happer).
11. Copies of all SSC Underground Technology Advisory Panel reports since April 1, 1991.
12. Copies of all OSSC Weekly Highlights reports since October 18, 1991.
13. Copies of all OSSC Biweekly Reports since September 27, 1991.
14. Minutes from each Cost Estimating Staff Meeting since April 1, 1991.
15. Copies of all Cost Accrual Reports submitted by PB/MK to the SSC Lab since PB/MK was awarded the AE/CM contract as referenced in answer #37 of the Department's May 20, 1991 letter to the Subcommittee.
16. Copies of monthly PB/MK monthly invoices for costs incurred and Lab reconciliation memoranda since PB/MK was awarded the AE/CM contract as referenced in answer #37 of the Department's May 20, 1991 letter to the Subcommittee.
17. Copies of all audits conducted on SSC contracts or bids done by the Defense Contract Audit Agency at the request of the Department or URA as referenced in answer #37 of the Department's May 20, 1991 letter to the Subcommittee.
18. Copies of the following documents relating to contracts signed with General Dynamics, Westinghouse, Babcock-Wilcox and PB/MK: (a.) the negotiation plan, (b.) analysis of the contractor's response, (c.) post-negotiation memoranda, (d.) requests for deviation. (If the Department feels that documentation on some of these items has al-

ready been provided to the Subcommittee, please indicate so in your response.)

19. A copy of a letter dated October 7, 1991 sent by Ms. Priscella Thomas as well as a copy of modification No. A022 to Contract No. DE-AC35-89ER40486 as referenced in Sisken to Cipriano communication dated October 8, 1991.

20. Copies of all Cost and Schedule Control System reports composed since March 10, 1991.

21. Copies of all report from Mr. Cipriano to Secretary Watkins prepared since October 4, 1991. (These may be provided under the same guidelines that marked the Subcommittee-Departmental agreement of November, 1991.)

In addition, the Subcommittee requests that you supply all materials including, but not limited to, all documents, memoranda, letters, notes minutes, reports, work papers, computer information, electronic communications, studies, records of oral communications, or any information of other description, whether in preliminary, draft or final form, and whether signed or unsigned, in the possession of the Department or its contractors that relate to the following:

A. The projected operating costs of the SSC after completion. These materials should include materials developed since February 1, 1990 in the files of the SSC Lab Cost Estimating group.

B. Materials from the July, 1991 meeting to review SSC operating costs (if this differs from item "A").

C. All materials since June 10, 1991 regarding a projected Japanese contribution.

D. All materials that led Mr. Cipriano to report a \$50 million overage in AE/CM costs on February 22, 1991.

E. All materials since February 1, 1991 from the files of Paul Reardon or R.D. Williamson regarding evaluation of the cost and scope of the AE/CM contract and any related correspondence involving the SSC Lab and/or the Department of Energy and/or PE/MK resulting from the evaluation.

F. All analysis, reports and correspondence leading to and stemming from the September 1991 announcement by the AE/CM the AE/CM costs are substantially underestimated.

G. Materials developed since February 7, 1991 examining an acceleration of the construction schedule.

H. Materials regarding meetings of the Interagency Working Group on the SSC that have occurred subsequent to June 12, 1991.

I. Materials since June 10, 1991 relating to the award of contracts to Russian manufacturers. These materials should include general Departmental or OSSC guidance on decisions to compete or not compete contracts as well as specific discussions of handling the Russian award.

J. Materials from February 1, 1991 to date regarding the potential move of the detector hall sites. These materials shall be construed to include geological evaluations of the various sites, impacts on schedule and costs of construction for each alternative, discussions of the need to file a supplemental BIS, and relevant communications between the SSC Lab, the Office of the SSC and the detector teams.

K. All materials prepared since October 1, 1991 regarding the possibility or impact of increased appropriations over the baseline numbers or on the acceleration of work schedules.

L. Correspondence, reports and memoranda since February 1, 1991 either to or from Joe Cipriano, Ed Sisken, Paul Reardon, George Robertson, R. D. Williamson regarding project rebaselining.

M. All communications between the Department of Energy and URA regarding the URA's funding problems referenced in notification from URA to Mr. Joseph Cipriano dated August 30, 1991.

Finally, please provide information on all Change Control Board actions by date, item under review, substantive decision and cost impact.

Please provide all of this material to the Subcommittee by Tuesday March, 2, 1992. However, to expedite the Subcommittee's review, please provide this material as it becomes available rather than waiting for all of it to be collected. Contact Mr. Bob Roach or Mr. Dan Pearson (202-225-4494) of the Subcommittee if you have any questions about the request and to arrange for delivery of this material.

Thank you for your attention to this matter.

Sincerely,

HOWARD WOLPE,
Chairman Subcommittee on
Investigations and Oversight.

Mr. WOLPE. Mr. Chairman, will the gentleman yield?

Mr. BARTON of Texas. I am happy to yield to the gentleman from Michigan.

Mr. WOLPE. Mr. Chairman, I thank the gentleman for yielding. I will make two points.

First of all, the comment the gentleman has just made, as to the gentleman's observations, first of all, it does not obviously address any of the substantive arguments raised about the super collider.

Mr. BARTON of Texas. I will get to that, I promise.

Mr. WOLPE. But more to the point, the letter that we identified a moment ago from Mr. Henson Moore was one of the documents that we uncovered only because of the requests that were made. For 3 months the Department withheld and in fact even denied the existence of secret communications between the Secretary of Energy and the Director of the SSC program. Those secret communications finally released to the Congress under threat of subpoena, I might add, provided the information on many of the problems that have since been publicized. So without those requests, we would not know precisely what was in fact happening.

Mr. BARTON of Texas. Reclaiming my time, let me simply say that there are no secret documents. The executive branch has a right, a legitimate right, to claim Executive privilege, but in this case did not. There was an oversight hearing a year ago in which several truckloads of documents were at least offered to the subcommittee chairman and his investigative staff. I do not think the staff chose to review all of those documents.

Mr. ECKART. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. WOLPE].

Mr. WOLPE. Mr. Chairman, I thank the gentleman for yielding this time.

Mr. Chairman, I certainly respect the concerns of the gentleman from Texas as well. There is a point that needs to be underscored here: The Department

of Energy, in fact, did develop a back-channel means of communications that the Department initially denied existed between the Secretary and the project director. The Department denied the series of documents existed, and then when we discovered that they did exist, the Department said that they had all been destroyed. Then they discovered that, indeed, some of them had been retained. And it was through those document requests that we finally were able to develop some insight as to what was really going on. So, yes, there were secret communications, and they were never entered into the formal records of the Department of Energy. They were intended as a secret back channel. Most of the bureaucracy did not even know about the communications taking place between the Secretary and Mr. Cipriano.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. WOLPE. I am happy to yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I would like to point out to the chairman of the Subcommittee on Oversight that it was only under threat of subpoena that we were able to get most of the information we requested from the Department of Energy.

Why did we want the information from the Department of Energy? Were we on some witch hunt? Absolutely not.

As a matter of fact, I have been a supporter of the SSC the first time, the second time, the third time. But the facts kept building and building and made a compelling case to withdraw that support.

The documents that we requested from the Department of Energy convinced me that I have moved in the right direction.

Mr. BARTON of Texas. Mr. Chairman, I yield 4 minutes to the gentleman from Texas [Mr. JOHNSON].

Mr. JOHNSON of Texas. Mr. Chairman, you know, we have been arguing over some of the technical aspects, and our colleague, the gentleman from Pennsylvania, talked about how we talked about the balanced budget last week and that this is a project that we cannot afford.

I have to tell you that I am appalled that someone would question our Committee on Appropriations in this decision to leave this program as part of a funded decision.

Furthermore, the chairman of the Committee on Science, Space, and Technology has made it part of our program. So I think that when the balanced budget amendment failed, it said to me, anyway, let us let our committees do their work without a constitutional requirement, and the committee has done its work.

You know, what we are talking about today is not a Texas project. It is a project that affects nearly every State

in the Union, and it has already been said that 48 States take part in the building process. There are 128 universities in 38 States that are involved in the research. It is research that is necessary to make the bowl program, and I have to say it as that, a success. We are talking about spinoffs that are going to benefit the fields of medicine, computers, electronics, transportation, and a lot of others.

They have already, as a result of this program, developed cancer technology, developed treatment for tumors, developed advanced plastics that can be used in hospitals to reduce hazardous waste, and work on the superconducting magnets which are a success, magnets which are in being today, and wire has already been developed to provide improved energy storage and conservation capabilities. The SSC is also driving supercomputer technology, and supercomputers are what has made the United States an advanced technology in a lot of areas.

□ 2000

We are still developing them. Think back, where would our country be if we had not kept our commitment to the space program, for example? How many of the things we take for granted today are available because of the technology that was developed in our Moon program?

Invention, discovery, research and development, these have always been the catalysts for economic growth. Science has helped make America the world's most productive nation and given our citizens the highest standard of living. We can maintain this leadership by promoting a well-balanced research and development program, and that is a program that includes the SSC.

You know, this morning, if you read the paper, you saw a Japanese boat pictured in there. That boat was built with a propulsion system for ships that use—guess what—superconducting magnet technology. We developed that technology. We abandoned it because we thought it was too costly; but not the Japanese, they saw the long-term potential, and the Japanese right now have an operating vessel because of it.

The article went on to say:

Today's successful trial reflects Japan's continued willingness to invest large amounts of time, talent and money into long-range technological development where the payoff is years or even decades in the future.

Mr. Chairman, do we want to abrogate our leadership in research to foreign interests? The payoff may be years or decades in the future, but what we need to do here today is make an investment in our future and vote for the SSC and against this amendment.

Mr. ECKART. Mr. Chairman, I yield 2 minutes to or colleague, the gentleman from Kansas [Mr. GLICKMAN].

Mr. GLICKMAN. Mr. Chairman, as a member of the Committee on Science, Space, and Technology, I have looked at this issue for the last couple years as it relates to what is the best decision affecting science, science in America, and I have come to the conclusion that the superconductor super collider is not consistent with good science, particularly with the massive amount of costs involved with this particular project and its effect on impeding other science projects so desperately needed for this country.

I thought I would mention just a couple of items that are constantly talked about in terms of the facts involving technology transfer.

The first is there is a claim that the magnetic resonance imager, the MRI machine in medicine, was based upon superconductor super collider technology. Well, the fact of the matter is that is not true. The original magnetic technology used in this MRI was developed in the 1970's at Oxford Magnets in Great Britain.

The most current MRI technology was developed in 1982 before the SSC site competition ever began, and the improvements to the technology at that time are based on computer controlled advances. That information was supplied by General Electric last year.

Then after Deputy Secretary of Energy W. Henson Moore in a recent congressional hearing rattled off the list of spinoffs of the SSC, including the magnetic resonance imager, this was the response by the president of the American Physical Society testifying before the Senate. His name is Dr. Nicholas Blumberg. Here is what he says:

As one of the pioneers in the field of Magnetic Resonance, I can assure you that these are spinoffs of small-scale science, not of the SSC, and the attribution of the SSC to the other spinoffs mentioned is also highly questionable.

Now, another claim is made that cancer patient therapy with collider protons is being used, but this is not a new technology spinoff from the SSC. The treatment is already available at Loma Linda Medical Center in California.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. ECKART. Mr. Chairman, I yield 1 additional minute to the gentleman from Kansas.

Mr. GLICKMAN. Treatment is already available at Loma Linda Medical Center near Los Angeles and the Massachusetts General Hospital in Boston, and in Los Angeles and Boston they did not need to spend \$12 billion.

I am not saying that you could not get some spinoffs, some science from the superconductor super collider. The issue is for the cost of this project, could you get better spinoffs in medicine, in transportation, in construction, from other types of science? In my judgment, based upon my experience in the Committee on Science,

Space, and Technology, I think you can.

So Mr. Chairman, I would urge my colleagues to vote for the Eckart-Wolpe-Boehlert-Slaterry amendment and take this money, either using it in other types of science projects which could employ many more people throughout the country, or else no spend it at all and reduce the deficit of the United States.

Mr. CHAPMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. SARPALIUS].

Mr. SARPALIUS. Mr. Chairman, in 1980 the United States had 55.2 percent of the world's high-technology market. Eight years later, by 1988, the United States had only 35.8 percent of the high-technology market.

During that same period of time from 1980 to 1988, the U.S. share of superconductor fell from 60 percent to 36 percent.

During that same period of time, we saw the Japanese and the Germans take over thousands of jobs in this country, took the market of producing television, radios, and VCR's.

Today we have 9.5 million Americans out of work, without a job. If you vote to eliminate this valuable project, you will send a pink slip to another 6,000 Americans who will lose their jobs.

I remember debating on this floor some type of economic growth package to stimulate jobs. Now you are talking about taking jobs away.

So before you make up your minds on how you are going to vote on this, ask yourselves, what will this do for the American people? Is this a wise investment? What will the American people get for their dollar?

We are talking about construction, but what is the end result? What will happen once this giant laboratory is finally completed?

It deals with compressed energy. Scientists say that they will be able to build a battery about this size that will have enough energy to run an automobile. They will have batteries a little larger that will provide enough energy for your home, or move away from our dependency on foreign oil.

We will have a computer chip that is about a fourth the size of computer chips today.

The Japanese have developed a watch that has a telephone in it, but they cannot put it on the market because they do not have a battery small enough to run the watch.

Let your imagination wander. In the medical profession, they will have a machine that you stand in front of and find any tumors or cancers in your body, never using a knife.

It is not a cost. It is an investment. It is an investment in the future. It is an investment for our children.

So Mr. Chairman, I challenge my colleagues, before you look at taking away 6,000 jobs, stop and look at the

end result and what this will give to our children and to their future.

Mr. BARTON of Texas. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Louisiana [Mr. BAKER].

Mr. BAKER. Mr. Chairman, an earlier speaker made reference to the MHD propulsion system, a magneto hydrodynamic system which was tested earlier by a consortium of Japanese businessmen, who have since 1985 had under development an extraordinary new propulsion system for vessels that travel across the water.

At the heart of this new system is a superconducting material which enables a high speed jet stream, without the benefit of a propeller system, to propel a vessel across the surface of the water without even making a wave. That in itself is not justification for us to be in total pursuit of superconducting technologies, but it is merely one example of the extraordinary new developments we cannot yet perceive nor understand that may come from sophisticated research, much less the combination of x-ray lithography, together with superconducting capabilities being enhanced.

Earlier speakers have made reference to miniaturization of computer processing which will enable us to engage in transformation of information from one point to another with extraordinary precision and speed.

All these efforts to research and find new technologies are indeed extraordinary and perhaps beyond our capability to understand as we sit here debating these issues, but of far greater import to those of us making this decision is not the jobs that will be created in Texas not the spinoff technologies that may create some possible employment opportunities in the near term, but the vision it gives to America and to establish again our preeminence as leaders in scientific research and investigation.

□ 2010

We literally stand today at a crossroads. Do we debate over dollars with the future of America in science in the balance? Or do we take the first step and expand the horizons of human knowledge, plunge into the depths of science where others are afraid to go, and give us not only an opportunity for new technologies and jobs but give us the ability as Americans to once again hold our heads high and say to all those in the rest of this world, "America is not only a leader but has the ability to go where others are afraid to tread?"

Mr. ECKART. Mr. Chairman, I yield 7½ minutes to my colleague, the gentleman from Kansas [Mr. SLATTERY] who has been intimately involved with me in this effort from the very beginning.

Mr. SLATTERY. I thank the gentleman for yielding this time to me.

Mr. Chairman, last year I offered the amendment to strike funding for the super collider, and I am pleased this evening to join with my colleagues, the gentleman from Ohio [Mr. ECKART], the gentleman from Michigan [Mr. WOLPE], and the gentleman from New York [Mr. BOEHLERT] in the amendment to strike funding for the super collider and save the American taxpayers at least \$10 billion.

Mr. Chairman, man does not serve science, science serves man. These are the words of a physics professor at Kansas State University, who wrote me opposing continued funding for the super collider. Science has served our Nation well. It has made us the economic leader we are today. Discoveries in computer and telecommunications technology, energy use, engineering, and health care have affected virtually every aspect of our lives and enabled us to solve many of the problems that played previous generations. As we continue to support scientific inquiry, it is crucial that we carefully plan how we will spend our limited resources.

We have a responsibility to ensure that we will have scientists and engineers capable of meeting the challenges of the next century. It is for this reason that I strongly support continued increased funding for this Nation's broadly based scientific research program. It is for this reason that I strongly oppose continued funding of the super collider.

Put simply, the costs of the super collider are too high and the benefits to Americans are too uncertain for the super collider to be a responsible recipient of America's limited research dollars.

The American Physical Society, which represents 41,000 scientists nationwide, officially gives limited support for the super collider, provided that the funding required, and I quote, "not be at the expense of the broadly based scientific research program of the United States."

Unfortunately, that is exactly what continued funding for the super collider would do, take funds from other important research projects.

My friends, we are playing a zero-sum game. Budgets in the next few years are not going to increase, they are all going to be cut. Money spent on the super collider is money that will not be available for other scientific projects.

Do we really want to take money from basic health care research and training programs for future scientists and engineers, to fund a project no one is certain will work, that may become obsolete in 10 years and that has limited potential for educational and technological benefits? I certainly do not.

According to the Congressional Budget Office, the SSC is unlikely to provide substantial new jobs for physicists or increase the number and training of new researchers.

SSC funding will concentrate research dollars in an area that accounts for less than 1 percent of all science education. And for those who are interested in jobs, let me share with you one simple fact: Proponents say 6,000 jobs are involved. Listen to me, my friends, we are talking about spending \$480 million next year for 6,000 jobs. Simple math, my friends, tells us that is \$80,000 per year per job. This is not a good jobs program.

Furthermore, SSC proponents exaggerate the potential for technological spinoffs from the SSC. According to the Congressional Budget Office, technological spinoffs are more likely when we fund a broad base of research programs rather than a few large projects. These questions about the potential uses and inevitable obsolescence of the SSC become more important when we consider how much the program costs.

As some may know, the SSC project has never been authorized by the Congress. The House, when it considered authorizing legislation, concluded overwhelmingly that the project should be canceled if it costs more than \$5 billion or if it failed to receive one-third of its costs from sources other than the Federal Government.

DOE has failed to meet either requirement, and it is time this evening for the Congress to kill this project.

In 1987 the Department of Energy assured Congress that the total SSC project cost would be \$5.6 billion. In 1989 the estimated cost increased to \$5.9 billion. But on May 10, 1991, DOE admitted that the SSC project will cost \$9.1 billion. And this estimate fails to include the cost of a number of items, like detectors and adequate funding for contingencies in the geological problems.

With all of these costs included, DOE's independent cost estimators put the tab at \$11.8 billion.

Then, as we have heard this evening, the Secretary of the Department of Energy, in January this year, writes about the cost overruns that are getting worse.

Although DOE promised that it would obtain \$1.7 billion in foreign contributions, it has received only \$40 million in pledges from India and Albania. No aid has yet actually been received, and most of the aid will be in the form of cheap overseas labor resulting from American job losses and technology transfer overseas.

And I find it laughable to suggest that we are going to get a significant contribution from our friends in Russia. We just heard today President Yeltsin pleading with us for money. And this afternoon he was out on the Chesapeake Bay sailing with President Bush. And guess what was going on out there? I can only imagine that, as President Yeltsin was asking for assistance, President Bush was also saying, "By the way, before you leave town,

please promise to give me some money for the super collider." That is the kind of shenanigans we are going to see to coerce foreign sources to help build the super collider.

Finally, my friends, this project is all about money. This is a big-budget vote. In the final analysis, we are talking about \$10 billion that we do not have, and we should not be spending it on a project that we do not need.

That is what this debate is all about, and for those 280 of my colleagues who last week voted for the balanced budget amendment, this is your first real test. Are we going to vote to cut spending, yes or no? Are we going to vote to save the taxpayers of this country \$10 billion, yes or no? Tonight is the first real test. I will be curious to see how we do.

Mr. Chairman, I urge my colleagues to support the termination of funding for the super collider.

Mr. CHAPMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS of Texas. I thank the gentleman for yielding this time to me.

Mr. Chairman, there have been a lot of genuine opinions expressed on both sides of this argument. I have nothing but the greatest of respect for those who would disagree with the many of us around this country who support the super collider.

In my brief moment I would like to focus on a fundamental question that America and Americans must address about our future. That question is this: How can America compete in a world of low-cost labor? How can America compete in a world of low-cost labor?

□ 2020

Mr. Chairman, I would suggest there are basically three choices we have in this country. The first is to lower our wages and our standard of living, and I would doubt that anyone in this room, or anyone across this country, would support that option.

The second option that we have is to build an economic wall around America. Who is the country that is the basic model for that source of approach to competing in a world of low-cost labor? It is Mexico, a country that, by trying that option, has brought down its standard of living to the point where it has become economically a Third World nation.

The third and final option we have in this country to compete in this world, to find jobs and a future for our children and grandchildren, is to simply improve our productivity through education and through technology. Yet, what has Washington done in its investment in education over the last decade? We have consistently cut that investment in our future, and what tonight are we trying to do with our investment in technology? There are those who would try to cut that tech-

nology at the very time we need that technology as a cutting tool to let us be productive and to let us compete with other nations.

I would suggest, Mr. Chairman, that American citizens are not upset that Government simply spends money. I would suggest that Americans are upset at the priorities we have set in this Congress, priorities that allow us in an evening, a Thursday evening before Easter, to spend \$7 billion added to a program for immediate consumption, yet priorities that would have us cut off long-term investments that will make us more productive in the future.

When I was here in the mid-1970's working for Congressman Tiger Teague, I heard much of this debate expressed, just as genuinely heartfelt as it is today, yet at that time the debate was over the future of the space shuttle program. I heard the same arguments: "We don't know what the payback will be." "This is a long-term payback." "How can we make this kind of investment?"

Mr. Chairman, we have heard these same arguments before. I would argue that what the American people want for Congress to do is not stop spending altogether, but to reorder our priorities, order those priorities for the future of this country, and I believe that scientists and engineers and people throughout this country have spoken out loudly that the SSC is a wise investment in our future.

Mr. BARTON of Texas. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Chairman, high energy research with particle accelerators has resulted and will result in plastics for medical use, solutions for DNA research and virus remedies, maybe even for AIDS, soil erosion and down-water management, safe nuclear waste disposal, smoke stack pollutant removal, technology to repair cracks in pipes in large vessels, location of oil deposits, creation of integrated circuits for electronics and building of powerful semiconductors, processing of incredible amounts of information, studies of watertables, and seepage and underground geological formations, cryogenic engineering, tumor and body chemistry detection, superconductivity and mass production of highly intricate magnets, magnetic energy storage, electrical generators, ultra-fast computers, high performance communications, and lots, lots more, and thousands and thousands of valuable American jobs.

Vote against the Wolpe amendment and vote for the super collider.

Mr. ECKART. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. BOEHLERT], a member of the Committee on Science, Space, and Technology.

Mr. BOEHLERT. Mr. Chairman, I just would like to interject something

that I think is extremely important at this juncture in the debate.

We are hearing, as we have just heard, some claims made for this project, the same type of exaggerated claims that were made last year during the debate. So, I feel compelled to come up with the same response.

Contrary to all the hype, the SSC will not cure cancer, will not provide a solution to the problem of male pattern baldness, and will not guarantee a World Series victory for the Chicago Cubs. Let us have that understanding right here and right now.

Second, Mr. Chairman, a very important observation: My colleagues will notice that the proponents of the SSC are from Texas, Texas, Texas, Texas, and Louisiana, and maybe someone from California. But my colleagues will also notice that the opponents are from Kansas, the heartland of America; from Ohio, the Midwest industrial belt; from New York, from all across the country. So, I would suggest that the Texas, Texas, Texas, Texas, Inc. has a special interest in this project.

Mr. Chairman, we have a different interest. Our interest is on behalf of the American taxpayer.

Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Mr. Chairman, as Yogi Berra said: "It's *deja vu* all over again." The arguments for and against the superconducting super collider are the same as previous years.

Four years ago, the House directed the Department of Energy to obtain commitments for foreign participation to cover between one-fourth and one-third of the project's costs.

This year, we have yet to see those foreign working groups of Japanese, Russians, Koreans, or Canadians hand over any cash. The only firm foreign contribution thus far is \$10 million from India—a long way from the \$1.7 billion goal.

Yet the U.S. taxpayer has already paid \$850 million toward the project.

In 1987, the SSC project estimate was \$5.6 billion.

Two years ago, the Department of Energy was telling us that the SSC would cost in the range of \$5.9 billion.

Last year, DOE set the new, projected cost at \$8.25 billion—71 percent higher than when we were sold the original package.

In past years, critics have called the project dubious science while supporters promise enormous benefits.

Last year Congress approved spending \$484 million. This year, the bill calls for the same level of spending.

The arguments are all the same, so what's different?

Well, my friends, we are all 365 days older and nearly \$400 billion deeper in debt.

Debate last week on the balanced budget amendment should remind us

that we cannot balance the budget with business as usual. A balanced budget and the superconducting super collider project are mutually exclusive.

Instead of spending money on a big ditch in Texas, we ought to make a last ditch effort to save America from the mountain of debt caused by projects like this.

Supporters of SSC—many of whom supported the balanced budget amendment—closed their recent dear colleague: [SSC] "it's an investment our country can't live without."

I say instead: SSC is an investment our country can't live with.

Support the Eckart-Slattey-Boehlert-Wolpe amendment.

□ 2030

Mr. ECKART. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. SHAYS], a member of the Committee on the Budget.

Mr. SHAYS. I thank the gentleman from Ohio [Mr. ECKART] for yielding me 5 minutes.

Mr. Chairman, the United States is a science creating machine without parallel. And a country like Japan is a science consuming machine without parallel. Japan takes what we discover, what we learn, and makes practical use of it. We love research; Japan loves to take what we teach it and put it to practical commercial use.

The superconducting super collider is basic research. We will not be able to capture what we learn for our exclusive use. We cannot own it. We will spend the money, we will do the work, and every country in the world who wants to will reap the benefit. Our money, our work, but others get the benefit.

What we really have in the SSC is a monumental public works project. In the end the vote tonight on the SSC is not a vote for science and technology; it is a vote for a colossal public works project with a cost-benefit ratio that does not justify the expense. And no one here tonight has justified the expense.

The vote on the Eckart-Boehlert amendment to stop the SSC is first and foremost a budget vote, a vote to cut wasteful Government spending, a vote to begin to reduce our deficits.

I do not know who is to blame for our annual budget deficits: Is it the President for not submitting balanced budgets to Congress? It is Congress for never returning a budget to the President that is balanced? Is it the President for not vetoing the unbalanced budgets he receives from Congress? Or is it the Members of Congress, on both sides of the aisle, who vote for programs again and again, year-in and year-out, without providing the funds to pay for them?

What I do know is this: This year our budget deficit will be nearly \$450 billion. Next year this year's budget deficit will cost U.S. taxpayers \$22 billion

in interest payments, and \$22 billion the year after that and \$22 billion the year after that, and \$22 billion the year after that, for this year's deficit, ad infinitum.

In the last 12 years our national debt has gone from \$800 billion to \$4,000 billion, or \$4 trillion. And the cost of paying the interest on the national debt now accounts for 18 percent of our entire Federal budget.

The United States is in danger of becoming a third rate nation if it continues to allow annual deficits and accumulated debt to drain our precious resources. We need to get our financial house in order and balance the Federal budget.

Mr. Chairman, last week 280 Members of Congress voted for House Joint Resolution 290, the balanced budget constitutional amendment. I was one of them. But a few days before that vote, only 90 Members were willing to vote for the Dellums amendment to cut the defense budget a mere 10 percent. That was last week.

What about today? What about tonight? Is it business as usual? We vote overwhelmingly for a balanced budget constitutional amendment, and then continue to vote for programs we cannot afford. We vote for programs that make our annual deficits larger which in turn has created a monstrous national debt.

Mr. Chairman, we need to vote yes for the Eckart-Boehlert-Wolpe-Slatery amendment, to stop the super-conducting super collider, and begin to get our financial house in order. And we need to do it tonight. We need to do it now.

Mr. CHAPMAN. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. GEREN].

Mr. GEREN of Texas. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, as one of the other members of the bald caucus, I did not feel like I could miss this opportunity to stand up and speak for this project. As the gentleman from New York [Mr. BOEHLERT] pointed out, this will not cure male pattern baldness, even though in the next few years a project to accomplish that might be as important for the gentleman as it is to the gentlemen from Texas [Mr. CHAPMAN] and me.

But this project will make tremendous advances in the field of science and technology for our country and for the whole world.

Mr. Chairman, I want to commend our chairman, the gentleman from Alabama [Mr. BEVILL], for putting together this package of investments in our country's future. It is a package that does recognize the realities of our budget process, of our tough budget times that we face, and I commend the gentleman for his fine work. I urge my colleagues to support the committee and support this investment in America's future.

I would like to speak to one point, about whether or not this is or is not a budget issue. As the gentleman from Kansas [Mr. SLATTERY] pointed out in his remarks, if the super collider were killed tonight, if the Congress were to decide to walk away from this investment, not one single penny of this would go to the deficit. It would all be spent somewhere else.

Mr. Chairman, it is important that we understand that. There are many of us fighting for this project tonight that fought very hard for a balanced budget amendment. I wish we were here tonight operating under the rules that said if Congress does not pass something, the beneficiary would be the taxpayers, that it would go to future generations that have been funding these monstrous budgets.

But in fact it will not happen on this. If the SSC is killed tonight, not a single penny will be used for the deficit. It will all be used for other expenditures of the Federal Government.

Mr. Chairman, this is not a way to save taxpayer money nor work us out of debt. This is not a budget deficit vote.

I have sat through those long hearings with my colleagues, the gentleman from Michigan [Mr. WOLPE], and I just respectfully disagree with this conclusions as to what we heard from the testimony there. We both sat through the same hearings, and I can tell Members as I stand before them today, we heard testimony that established beyond a doubt that the super collider is operating on time and operating under budget.

Mr. Chairman, I applaud the gentleman from Michigan [Mr. WOLPE], the chairman of the Subcommittee on Investigations and Oversight of the Committee on Space, Science, and Technology, for his work in trying to ensure that our taxpayer money is well spent. He brought many witnesses in front of us. We examined reams of documents. The testimony proved clearly that in spite of some early difficulties that this program experienced, it is now operating under budget and on time.

Mr. Chairman, I urge my colleagues to vote against the amendment of the gentleman from Michigan [Mr. WOLPE] and vote for this investment in our country's future. Vote for the super-conducting super collider.

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. WALKER], the distinguished ranking member of the authorizing committee.

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I think most Members of Congress want to do the responsible thing with regard to SSC, and there are a couple of questions in Members' minds.

First of all, is this a good science project? Yes, this is a world class

science project. This is something that will ultimately produce Nobel prizes. It is something which will produce valuable basic science information for the country.

The next question is can we afford it. That is really the question we are debating here. That whole question revolves around something we have already done tonight. That question revolves around whether or not it is going to be a world class financing project, whether or not the world is going to involve itself in financing this particular project.

Mr. Chairman, if in fact that happens, we can afford it. It is something we and the rest of the world can afford to do. If that does not happen, then it is a project that should be dropped.

Mr. Chairman, we have already decided earlier this evening that if we cannot round up the international funding for this particular project, the project will be dropped. That is something that I think takes the responsible course on this.

So if Members want to do the reasonable and responsible thing, I would suggest they vote against this amendment and allow us to continue to try to round up the world class funding that is necessary to complete this project. If the project is completed, we will in fact end up with a world class science project, one that will benefit not only this country, but the world.

Mr. Chairman, I would hope that Members would see that as something that at least deserves to be considered in this argument.

Mr. ECKART. Mr. Chairman, I am delighted to yield 2 minutes to the gentleman from Illinois [Mr. DURBIN], a member of the Committee on Appropriations.

Mr. DURBIN. Mr. Chairman, let me first address the question that was raised by a previous Member from Texas as to whether our actions tonight will cut the deficit. Those of us who serve on the Committee on Appropriations know that our problem each year is in the area of outlays, how much money we can spend.

Mr. Chairman, the problem we have is that we made commitments in previous years called budget authority which tie up our money this year in terms of what we can spend. By eliminating the super collider project we will in fact loosen up at least \$4, \$5, or \$6 billion for savings in the future or spending in the future, a choice to be made by future Congresses. But at this point we have to make the threshold decision whether to go forward, and it is my opinion that we should not go forward with the super collider.

□ 2040

First, it has had embarrassingly large cost overruns from its original estimated cost of a little over \$5 billion. Now the Department of Energy

suggests it may cost over \$11 billion to construct the super collider.

The second point, and it relates to a point made earlier by the gentleman from Pennsylvania, there has been a failure of this so-called world class science project to attract world class support. Fifty million dollars pledged by India does not suggest to me that the scientists around the world are waiting with bated breath to see what is happening in Texas. They do not want to put their money on the line. They want the United States to do it. They do not view this as a promising scientific project.

In addition, let me suggest to my colleagues, it has become a world class political project. The supporters of the super collider sent out letters to all the Members of Congress and outlined the following: They have awarded contracts totaling 19,375 in number in 46 different States. We do not do this for efficiency. We do it for the political muscle it brings to this project.

Then they sent to me a list of all the people in Illinois who are benefiting from the super collider. That is not arguing this case on the merits. That is arguing on the basis of the oldest style of politics in the book.

I would suggest to my colleagues that what we basically need to decide is whether or not our fervor for a balanced budget is going to be matched by our fervor to cut projects that should be cut, and the super collider is one of them.

Mr. CHAPMAN. Mr. Chairman, I yield 2 minutes and 30 seconds to the gentleman from Alabama [Mr. BEVILL], the distinguished chairman of the Subcommittee on Energy and Water Development.

Mr. BEVILL. Mr. Chairman, I rise in opposition to this amendment. I think that if this amendment passes, it would create chaos. We have some 18,000 contracts. We have some 100 universities in over 30 States that are already involved in this program. We had some of the brightest scientists in the country appear before our panel in support of this project, many of them are people who are knowledgeable and have made a life study and work in physics and other sciences.

I think it would be a disaster to approve this amendment, killing this project. They say they would leave \$30 million to close it out, but it would cost at least \$180 million. It would cost thousands of jobs. It is ironical, and I know it has been mentioned a couple of times already. This morning's paper is very timely. The front page is about the magneto hydrodynamic boat, a silent boat, and what it can mean to the future and how it can cut the cost of transportation.

It comes out of Japan because Japan stayed with the project and kept working on it. It involves improvements in the superconductors, the very thing we

are talking about here today, and the scientific world is behind this project. I have only heard two witnesses with some knowledge of science, that opposed this project. And they were fearful that this project was going to affect the projects that they were working on that were getting finances. That is the only reason, selfish motives.

I think it would be unfair to the bright young men and women of this Nation not to give them an opportunity to do the scientific study on this project. It is going to mean so much in the future. We know already what the superconducting super collider means to the future. That is exactly what this MHD boat I mentioned, is all about.

Americans dropped the project when they should have kept it going. I urge my colleagues to vote against this amendment and let us go on and finish up this bill.

In closing, I just want to point out that the benefits have come from this project. This is not something that we are guessing about. Actually, no Member here opposing this project actually appeared before our committee. We would like to hear the opposition to these projects. Would it not have been nice if they would have come before us and given us the benefit of their knowledge on this?

We have the chairman of the Science and Technology Committee here. We have here our entire subcommittee, every single member of it, Republicans and Democrats alike are supporting this project. I think it does not make sense to try to kill something here and just come in here and shoot from the hip and not appear before the committee to give us the benefit of all their knowledge.

I urge a "no" vote on this amendment.

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Indiana [Mr. MYERS], the ranking member of the Subcommittee on Energy and Water Development.

Mr. MYERS of Indiana. Mr. Chairman, I thank the gentleman for yielding time to me.

Our chairman has just said, this subcommittee has supported this program from its inception. We have been just as concerned as anyone here about getting additional funding. We would like to see the United States build the SSC by themselves so that we can enjoy all the benefits that will come from the exploration and the findings from this very fine machine.

We recognize the dilemma we are in, and so we have welcomed outside international support, and we will get it. I do not think any of us are supporting this machine because we think it is going to solve male pattern baldness or any of those other things that have been brought up here tonight.

We are concerned about keeping America competitive in this particular research. It is what we are going to find here, going to be able to make American industry more competitive with the rest of the world and keep us on the leading edge, as we always have been. These are the benefits, I believe, we will derive from this machine.

Yes, it is an expensive machine, but this committee is just as concerned about balancing the budget. But that does not mean we are not going to continue progress and research to find answers for our future generations.

Mr. ECKART. Mr. Chairman, I thank the Chair for his good work in keeping a confusing debate in order.

Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Chairman, first of all, I would like to point out to my colleagues in response to the comments from the distinguished chairman of the subcommittee two very important things.

Never before in the history of this republic have we had more scientists submitting worthy applications for funding to the National Institutes of Health and the National Science Foundation only to be told there is not enough money to fund their worthy projects.

Second, I would point out to my distinguished chairman of the subcommittee that the Industrial Research Institute took a survey of the research and development corporate vice presidents across America and asked them to rate 5 major megabuck big science projects in terms of their promise to return something meaningful to the competitiveness of the United States. Here is how they ranked them.

No. 1, the human genome project; No. 2, the national aerospace plane; No. 3, the space station; No. 4, surprise, SDI [the strategic defense initiative].

Dead last, the superconducting super collider.

I have spent 10 years on the Committee on Science, Space, and Technology. I have listened to hundreds of witnesses, preeminent scientists, Nobel laureates come before our committee and very grudgingly say, "Well, this project is OK as long as you don't take funds away from our projects."

Well, funds are being taken away from all other science disciplines to fund the SSC. Last week 280 Members of Congress, a convincing majority, stood before the House and made an unswerving commitment to making tough choices, setting priorities and eliminating the Federal budget deficit.

Today we will see how many of those Members had their fingers crossed behind their backs. How many of those Members are willing to put their votes where their mouths have been?

If we continue to fund projects like the SSC, projects which might be desirable but by no means are essential,

then last week's promises were just more empty words.

□ 2050

The American people are tired of more empty words from our Nation's Capital. I doubt anyone believes that the most pressing issues facing the Nation include an insufficient understanding of the origins of the universe, a deteriorating standard of living for high-energy physicists, or declining American competitiveness in the race to find elusive subatomic particles, yet these are the concerns the SSC hopes to address.

That is why the SSC is the perfect test of congressional commitment to making tough choices and setting priorities. It is not a bad project or an evil project, but it is a textbook example of what we ought to do without if we want to cut the deficit. The questionable management of the SSC makes it an even more appropriate target.

The Department of Energy's \$8.25 billion budget for the project is a gross and purposeful effort at low-balling cost estimates. The figure does not even include the full cost of the equipment that is needed to conduct experiments at the SSC, the detectors. Add another half a billion there. We are Washington people, \$500 million, that is easy to come by. Add another half a billion for the costs associated with establishing the new SSC lab and operating it until the machine comes on line in 1999.

Let us start adding this up. What started out as \$3.9 billion and then went to \$4.4 billion and then \$5 billion plus, and now it is up to \$9.1 billion and we are still counting, and we are not even mentioning the in-house cost estimate at the Department of Energy that said the project last year would cost \$11.8 billion.

DOE also continues to underestimate the Federal share of the cost by assuming the existence of \$1.7 billion in foreign contributions that have yet to materialize, despite repeated fundraising trips by Federal officials. I am not just talking about midlevel Federal officials, I am talking about the President of the United States, the Secretary of Energy, the Science Adviser to the President, and the Chief of Staff to the President. All over the world they go with hat in hand, "Come, contribute to this exciting project," and they get nothing in return. Thus far we have a pledge of \$10 million from the Indian Government, and the Albanians might be coming in with \$30 million, and probably, we will get something from the Russians. I would suggest that they are probably going to be recycled American dollars.

I have been to Japan with the chairman of the Committee on Science, Space, and Technology, with the gentleman from Texas [Mr. BARTON], with the gentleman from Pennsylvania [Mr.

WALKER], and we met with the president of the Science Council of Japan. We met with the Minister of Education, Science and Culture. We met with the members of the Japanese Diet. No interest whatsoever in participating in the superconducting super collider.

Yes, they finally, as a result of our begging and pleading and cajoling, agreed to form a study group, but not one dime has been forthcoming. I will tell you what, they are kind of interested in having George Bush reelected President of the United States, so if there is a contribution forthcoming from Japan it will have nothing to do with a scientific investment, it will be a political statement.

In an especially misleading budgetary shell game, DOE is now negotiating sole source contracts for some components from such low-wage countries as Russia and South Korea and even the People's Republic of China. Let me tell the Members about this creative accounting. Here is about how it is going to work. We are going to make an award of \$400 million to a low-wage country like South Korea, \$400 million we will award, and then we will say, as we have figured out here in Washington, "If we did it here in the United States it would really cost \$800 million," so not only are we going to give \$400 million for jobs in South Korea, and that does not help the employment situation in the United States, but also we are going to give them credit for a \$400 million foreign contribution to the SSC.

Boy, that is one of the grandest shell games I have ever heard of. Talk about creative financing, no wonder the United States has a \$4 trillion national debt. No wonder we are forced to pay \$866 million every single day, every 24 hours, just in interest on the national debt. It is because we are engaging in shell games like that.

We have heard so much about this project, and I am telling the Members, this is the moment of truth. We can argue about the scientific merits all day long. We can make all sorts of exaggerated claims, as have been made from this well, but the fact of the matter is when it gets right down to the bottom line, what this debate is all about today is, are we going to set some priorities, are we going to say to the American people that we were serious last week when in overwhelming numbers Republicans and Democrats said, "We want a balanced budget," and are we going to provide to them that we want to get where we want to get without having massive tax increases?

The American people are tired of shell games from Washington, DC. The American people want us to wake up to reality. One of the realities of life that we should understand is that we cannot have all things and simply write a

blank check. We have to start making some tough choices. This project only involves \$484 million this year. Billions more will be asked for year after year after year, and then if the project is ever completed, it will cost \$500 million a year to operate it.

Mr. Chairman, we simply cannot afford it. We have other priorities that demand our very precious resources. Support Eckart-Boehlert and end this shell game.

Mr. CHAPMAN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Tennessee [Mrs. LLOYD].

Mrs. LLOYD. Mr. Chairman, I rise to speak in favor of the superconducting super collider and, in so doing, I also rise in support of the schoolchildren of this country.

We all know that we have a problem in this country in attracting students into science and technology. And we also all know that the economic future of the United States depends upon our ability to attract such students into technical fields. How do we deal with this problem which is so vital to all of us?

All available evidence clearly shows that students make decisions to go into science at a surprisingly early age, most commonly in grade school. A variety of factors then sustain that choice with actual choices of career fields being made later. This means that if we are to make progress in solving our most basic problem of getting the people in the first place we must somehow reach those schoolchildren and convince them that science and science-related fields are, indeed, exciting.

In my view, there is really only one way to do this—namely, to have a few highly visible programs underway which are important, whose goals are readily understandable, and which are capable of generating excitement in the schoolchildren we absolutely must reach.

The superconducting super collider possesses precisely those qualities. What could be more basic or more exciting than understanding the world around us. The superconducting super collider is an investment in our future. By offering them a vision of the wonders of science, it is also an investment in our schoolchildren. It deserves our support.

□ 2100

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Georgia [Mr. GINGRICH], the minority whip.

Mr. GINGRICH. Mr. Chairman, I thank my friend from Texas for yielding me the time.

Let me just say that there are certain basic decisions that I think every country has to make about how they define themselves and what kind of legacy they want to leave. The truth is I

do not think there is a single person in this body who has the scientific background to know for sure whether this is the greatest investment ever or the worst investment. None of us are scientifically that well trained.

And the truth is we are not really sure what we will find out, because that is part of the genius of this particular experiment. This is at the absolute frontier of our knowledge of the universe. It is at our absolute frontier of our knowledge of physics.

But what we do know is that if we walk off from this project leaving it to the Europeans to dominate the outer ridge of science, if we walk away sending a signal to the Japanese that their future is with Germany, Italy, or Switzerland but not with the United States, if we decide that cheap ignorance is better than an investment in the future of science, then we will have shaped for our children and our grandchildren a real weakness.

So I urge a "yes" vote, and I urge a vote in favor of the super collider, and I strongly urge all of my colleagues to support the super collider.

Mr. ECKART. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Chairman, I thank the gentleman from Ohio for yielding me the time.

Mr. Chairman, I rise in support of the amendment to kill, bury, do away with and forget about the super collider.

Now I did not always feel this way. I came to Congress excited about this, as I am about most scientific projects that are on the cutting edge of discovery. But I was assigned to the Science, Space, and Technology committee when I first came here, and I sat there when we heard the testimony on this.

The leadoff witness was the President's scientific adviser, and he was followed by a long list of scientists, and many of my colleagues in this room were sitting there with me when we heard this. And I said to the President's scientific adviser and to this long list of scientists, I said, "Excite us about the super collider. We are talking about \$4 billion." Now we're talking about \$9 billion. Then we were talking \$4 billion. I said, "Excite us about this. So, like the Apollo Program, we can go and tell the people we represent why we are spending \$4 billion of their dollars for a project like this."

We spent 3 days in hearings, and I guarantee you not he or any of the scientists excited us one iota about this project. I asked him what do you hope it will do. He could not tell me. Well, what might it do? He could not tell me. They could not define what. He said it is pure science. It is pure science and we will just discover things. He could not tell me what it would do.

Finally, he summed it up by saying, "Well, if we don't do it the Europeans will do it." And I guess I would have to

say, "Let them do it." I mean we cannot do everything. We cannot do space station and everything else. Let them do it. We will steal their technology like they steal our technology. Let them develop something and put out the money for it if it is so important.

But as I think Members heard earlier this evening, they have very little interest in this.

So I would ask you, my friends, let us stop this insanity with the super collider and move on to things that are much much more important with the use of our dollars.

Mr. CHAPMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. HALL].

Mr. HALL of Texas. Mr. Chairman, many of the Members who are recommending termination of the SSC project are doing so for varying reasons, some perhaps because it is not in their area, some under the mistaken belief that it does not help their area, some on the ground that the Congress has to set priorities within our overall science programs. I think they fail to recognize, Mr. Chairman, that the SSC's strong support within the Nation's high energy physics community is the result of a very difficult priority-setting exercise.

The high energy physics community has met several times over the past year to set priorities within a tight funding environment. They have looked at a range of funding scenarios for DOE's future budgets, and a range of attractive physics projects. And let me just quote from the April 1992 High-Energy Physics Advisory Panel. And who knows more than they know about the needs of this country in this area?

In their report on the U.S. program of high energy physics research, the high energy physics community states:

In all our plans we consider construction of the SSC to have the highest priority in the U.S. particle physics program and to be absolutely essential for continued progress in our field into the 21st century.

Those who propose canceling the SSC outright, in effect, are claiming that they know more about priority-setting in high energy physics than the high energy physicists do themselves.

Simply stated, we just sent 400,000 troops to the desert, and our superior technology sent back 399,900 to us alive. Now this is the chance to regain the scientific strength and the geopolitical strength that this country knew in 1949, 1950, and 1955 when we were truly the leaders of the world.

I urge Members to oppose the amendment.

Mr. BARTON of Texas. Mr. Chairman, I yield myself my final 3 minutes.

Mr. Chairman, first I will submit for the RECORD the letter I referred to sent by Congressman WOLPE to Adm. James D. Watkins requesting information on the SSC dated February 18, 1992.

The letter referred to follows:

COMMITTEE ON SCIENCE,
SPACE, AND TECHNOLOGY,
Washington, DC, February 18, 1992.

Hon. JAMES D. WATKINS,
Secretary of Energy,
Washington, DC.

DEAR MR. SECRETARY: As part of the Subcommittee's ongoing review of the SSC program and project, we request that you supply the Subcommittee with the following materials:

1. The July 1991 report to the Program Advisory Committee by the GEM detector team.
2. The October 1991 reports to the Program Advisory Committee by the GEM and SDC teams.
3. The December 1991 reports to the Program Advisory Committee by the GEM and SDC teams.
4. Copies of all results to date from PB/MK's geotechnical exploration plan.
5. Copies of geology reports done by the Texas Bureau of Economic Geology.
6. Complete copies of Cost Performance Reports from January 1, 1991 to date. Note that if these reports do not allow tracking of the cost of work performed against the budgeted cost for work performed, please provide to the committee the data used by the Office of the Superconducting Super Collider to track such costs or an explanation of why such data are not collected.
7. Copies of the U.S. Geological Survey study of flood conditions at the SSC site referenced in answer #73 of the Department of Energy's May 20, 1991 letter to the Subcommittee.
8. Copies of the SSCL surveillance reports on the Construction and Magnet Divisions.
9. Copies of audits performed by the Office of the Superconducting Super Collider of (a.) allowable costs and (b.) URA oversight of the AE/CM.
10. Analysis of the costs of manufacturing superconducting magnets in Japan (mentioned in a January 7, 1991 briefing to Science, Space, and Technology Committee staffers by Dr. Happer).
11. Copies of all SSC Underground Technology Advisory Panel reports since April 1, 1991.
12. Copies of all OSSC Weekly Highlights reports since October 18, 1991.
13. Copies of all OSSC Biweekly Reports since September 27, 1991.
14. Minutes from each Cost Estimating Staff Meeting since April 1, 1991.
15. Copies of all Cost Accrual Reports submitted by PB/MK to the SSC Lab since PB/MK was awarded the AE/CM contract as referenced in answer #37 of the Department's May 20, 1991 letter to the Subcommittee.
16. Copies of monthly PB/MK monthly invoices for costs incurred and Lab reconciliation memoranda since PB/MK was awarded the AE/CM contract as referenced in answer #37 of the Department's May 20, 1991 letter to the Subcommittee.
17. Copies of all audits conducted on SSC contracts or bids done by the Defense Contract Audit Agency at the request of the Department or URA as referenced in answer #37 of the Department's May 20, 1991 letter to the Subcommittee.
18. Copies of the following documents relating to contracts signed with General Dynamics, Westinghouse, Babcock-Wilcox and PB/MK: (a.) the negotiation plan, (b.) analysis of the contractor's response, (c.) post-negotiation memoranda, (d.) requests for deviation. (If the Department feels that documentation on some of these items has already been provided to the Subcommittee, please indicate so in your response.)

19. A copy of a letter dated October 7, 1991 sent by Ms. Priscella Thomas as well as a copy of modification No. A022 to Contract No. DE-AC35-89ER40486 as referenced in Siskin to Cipriano communication dated October 8, 1991.

20. Copies of all Cost and Schedule Control System reports composed since March 10, 1991.

21. Copies of all reports from Mr. Cipriano to Secretary Watkins prepared since October 4, 1991. (These may be provided under the same guidelines that marked the Subcommittee-Departmental agreement of November, 1991.)

In addition, the Subcommittee requests that you supply all materials, including, but not limited to, all documents, memoranda, letters, notes, minutes, reports, work papers, computer information, electronic communications, studies, records of oral communications, or any information of other description, whether in preliminary, draft or final form, and whether signed or unsigned, in the possession of the Department or its contractors that relate to the following:

A. The projected operating costs of the SSC after completion. These materials should include materials developed since February 1, 1990 in the files of the SSC Lab Cost Estimating Group.

B. Materials from the July 1991 meeting to review SSC operating costs (if this differs from item "A").

C. All materials since June 1991 regarding a projected Japanese contribution.

D. All materials that led Mr. Cipriano to report a \$50 million overage in AE/CM costs on February 22, 1991.

E. All materials since February 1, 1991 from the files of Paul Reardon or R.D. Williamson regarding evaluation of the cost and scope of the AE/CM contract and any related correspondence involving the SSC Lab and/or the Department of Energy and/or PS/MK resulting from the evaluation.

F. All analysis, reports and correspondence leading to and stemming from the September 1991 announcement by the AE/CM that AE/CM costs are substantially underestimated.

G. Materials developed since February 7, 1991 examining an acceleration of the construction schedule.

H. Materials regarding meetings of the Interagency Working Group on the SSC that have occurred subsequent to June 12, 1991.

I. Materials since June 10, 1991 relating to the award of contracts to Russian manufacturers. These materials should include general Departmental or OCCS guidance on decisions to compete or not compete contracts as well as specific discussions of handling the Russian award.

J. Materials from February 1, 1991 to date regarding the potential move of the detector hall sites. These materials shall be construed to include geological evaluations of the various sites, impacts on schedule and costs of construction for each alternative, discussions of the need to file a supplemental EIS, and relevant communications between the SSC Lab, the Office of the SSC and the detector teams.

K. All materials prepared since October 1, 1991 regarding the possibility or impact of increased appropriations over the baseline numbers or on the acceleration of work schedules.

L. Correspondence, reports and memoranda since February 1, 1991 either to or from Joe Cipriano, Ed Siskin, Paul Reardon, George Robertson, R.D. Williamson regarding project rebaselining.

M. All communications between the Department of Energy and URA regarding the URA's funding problems referenced in notification from URA to Mr. Joseph Cipriano dated August 30, 1991.

Finally, please provide information on all Change Control Board actions by date, item under review, substantive decision and cost impact.

Please provide all of this material to the Subcommittee by Tuesday, March 2, 1992. However, to expedite the Subcommittee's review, please provide this material as it becomes available rather than waiting for all of it to be collected. Contact Mr. Bob Roach or Mr. Dan Pearson (222-225-4494) of the Subcommittee if you have any questions about the request and to arrange for delivery of this material.

Thank you for your attention to this matter.

Sincerely,

HOWARD WOLPE,

Chairman, Subcommittee on Investigations and Oversight.

It is four pages long. There are 21 specific items requested, A through M sub-items requested. It constantly refers to requests for all results, all reports, all documents. But on page 3 there is a paragraph that I would like to read.

It says:

In addition, the Subcommittee requests that you supply all materials, including, but not limited to, all documents, memoranda, letters, notes, minutes, reports, work papers, computer information, electronic communications, studies, records of oral communications, or any information of other description, whether in preliminary, draft or final form, and whether signed or unsigned, in the possession of the Department or its contractors that relate to the following.

And then it goes on to another long list of requests.

I simply think that that is not the typical letter that one would send for conducting an oversight hearing.

Now let me refer to the suggestion that this SSC is going to gobble up the scientific budget. We spent in fiscal year 1991 in the general science and space technology budget \$16.518 billion. The SSC part of that was \$243 million or 1.5 percent of the general science and space technology budget. If you include other basic research, including military research of a scientific nature, the SSC's part of just the science research budget was .08 percent.

In the budget request submitted by the President of the United States for the fiscal year we are currently debating, it was \$650 million. That would relate to 3.5 percent of the general science, space, and technology budget. Again, if you include other research, civilian research and military research, you go right back to .08 percent.

We are not gobbling up the science budget to build the SSC. Quite the contrary. We are increasing the National Science Foundation's science research budget. We are increasing the other civilian research budgets at least as requested by the President of the United States. So that argument simply does not wash.

Finally, Mr. Chairman, let me simply state that what we are engaged in here this evening is really not so much a debate about the SSC and whether it is good or whether it is bad. What we are engaged in is a debate on two things. No. 1, do we want to continue to be a world leader? I would think my colleagues would answer that in the affirmative. No. 2, if we want to continue to be a world leader, do we want to be a world leader in technology development? I would hope that we would answer that in the affirmative.

□ 2110

If we do, we do have to build the SSC. It is the preeminent basic research project for high-energy physics in the world today which, in turn, is the basic research project for all general science. It is that simple.

It is expensive, no question about that, but it is an expense that we cannot afford not to undertake.

Mr. Chairman, I would ask that we vote "no" on the amendment offered by the gentleman from Ohio [Mr. ECK-ART].

Mr. CHAPMAN. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. ROE], the chairman of the Committee on Public Works and Transportation.

Mr. ROE. Mr. Chairman, I thank the gentleman for yielding me this time.

You know, I was watching this debate in my office, and it is the same characters, it is the same play, and it is the same discussion it was 3 or 4 years ago.

I rise, of course, vigorously opposed to this amendment.

Let me tell you what I heard, and we have only a few minutes: Texas, Texas, Texas. Is this bash Texas tonight?

The gentleman from New York has left, but it is bashing Texas. But if you remember how we go here, every State had the opportunity to participate, and there were dozens of universities throughout this country, and States, that participated originally in this program. Fair is fair, and Texas came up with the best program. Texas was selected out of a national competition. That is a matter of fact.

If Texas competed with the rest of the Nation, they should be credited. How could the gentleman from New York possibly go to Japan and even breathe on the Japanese and have any idea that you would be in favor of this program. You spent—

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. ROE. No. I will not yield, because you had your 7½ minutes. But, by God, I will tell you one thing, in your debate you are coming back and saying that you are opposed to the program.

How can you get the international community to consider joining with America in anything? Every time you turn around, you are running down

your own country. You run down your competition? You run down the projects of the country. You run down what we are supposed to be achieving, and we are talking about merits and truth tonight, that this is the hour of truth.

I have never heard in 23 years in this Congress so much balderdash on any issue that I can dream of. Everything that is wrong in America is because of the superconducting super collider. The country is going to collapse. The whole budget deficit situation, this is a terrible thing.

Now, the logic to that is if you go ahead now and you cut out the superconducting super collider, everything is going to be great in America, and everything is going to be fine. Oh, cut it out. Nonsense, nonsense, nonsense.

Somebody ought to get on the floor, and I wish I had the figure, and I do not, but I hope somebody does. What is the figure for the cost of cancellation of the program? Ho, ho, ho, ho. Are we just going to walk away? Does it go to \$200 million, \$300 million, \$400 million? What is involved? What about the people of Texas who put up \$1 billion? They committed \$1 billion which we have been expending. At our behest, we have been expending that billion dollars of the citizens of Texas. But, oh, no, that does not count. We cut that out at this point.

I say that is a travesty, and you should think a little bit. Think about the future wealth of this country.

Let me depart on this point, and this will not be my last speech between now and December, lest you think so. The new wealth of America, you are not going to be able to create the wealth of America to do housing, to do education, to do the things that our citizens are crying for because you have no wealth. If you do not grab the technological opportunities we have and run with them now, you are absolutely ruining this country.

So I would hope that you would absolutely vote down this amendment. Let us make the country No. 1 in technology in this world.

Mr. ECKART. Mr. Chairman, I yield myself 3½ minutes, the balance of my time.

Mr. Chairman, my colleagues, we were told that to oppose the superconducting super collider is to run down the country. We are not running down the country. We are standing up for the taxpayers, and it is about time somebody did when this pork gets spread around on the floor of the House.

We were criticized for resurrecting some of the same old arguments. The problem is it is the same old song you are selling us, and that same old tune will not play anymore.

The fact of the matter is that my colleague from Texas on June 28, 1989, promised us \$1,200,000,000 from Texas.

That money 3 years ago still ain't here. On May 2, 1990, we were promised \$1 billion by another of our colleagues from Texas. That check must still be in the mail. On May 29, 1991, two more of my colleagues also from Texas promised us that this thing was going to be under budget. That was wrong, too. It is the same old song, same old tune. And that song won't sing anymore.

The fact of the matter is that this project is a trail of broken promises. They promised us a cap of \$5 billion on taxpayers' expenditures. Wrong. They promised us foreign support. Wrong. Albania is going to give us some surplus copper. They promised us in January 1990 the cost would be \$7 billion. That is wrong. They told us it would be \$8 billion in June. That is wrong. It is now \$11 billion.

The same people who offered balanced-budget amendments on the floor just last week challenging us to make tough choices, who do not support our cities when they get burned down, now come before us and tell us to fulfill the promises to the people of Texas. That is wrong if we cannot fulfill the promises to the people of Los Angeles first.

Texas promised us \$1 billion. They are only giving us \$870 million for actual construction of the project and its costs. That promise was wrong, too. And Representative PHIL GRAMM once told us on the floor of the House that it was about time that we started shooting real bullets around here. The problem is we are also spending real dollars around here too. We were promised a GAO report. That was wrong. We were promised we were going to have cost controls put in place. That was wrong. We were told that this project was going to be audited. That was wrong.

The fact of the matter is that budget vote after budget vote, issue after issue, this is where the rubber meets the road or where the collider meets the taxpayer, because the only thing that is going to be colliding in that deep tunnel in Texas are taxpayers' dollars running into each other.

Until we realize that every single promise, every same old song that has been sung by the same old people trying to sell us this same old sorry project has not come to pass.

Now, when this Congress fully realizes that expenditures of this nature are not going to continue to be perpetuated by a group of folks who think that somehow if they keep cutting up the pie amongst themselves, the reality is that the rest of us taxpayers will gleefully bear the burden, it just won't happen.

I am not worried, frankly, how many times the SSC makes promises to us. I am, frankly, worried about how many more times we are going to believe those promises, because the fact of the matter is, simply put, this project is not needed, and it is being paid for by dollars we do not have.

Until and unless we put meaning, until we put reality behind the rhetoric we so blithely spread around talking about balancing the Nation's budget, about making tough choices, about having priorities, every single vote we cast will cast a shadow on our pious balance budget statements.

To my colleagues, this has not been a particularly easy fight, because it comes against a subcommittee that generally does a tremendous amount of good will for each of us in our own districts. The fact of the matter is that we will relieve a very special burden of this subcommittee, because we will allow them to spend dollars on real science projects, meeting the real needs of this Nation.

Vote to end this project. Put this project to bed once and for all.

Mr. CHAPMAN. Mr. Chairman, I yield myself 4½ minutes, the remainder of my time.

Mr. Chairman, one of the things they tell us not to do in the early days when we have graduated from law school and go to court is do not get off on the rabbit trails the other lawyer throws out for you to follow.

The gentleman who has just preceded me in the well has made some allegations I feel must be answered.

It is just not true, my colleagues, that Texas has not done its share. I remind the gentleman from Ohio that last year it was Texas that made up the shortfall in Federal funding when this Congress did not appropriate enough funds to keep the project on track and on time. Texas not only committed to \$1 billion but has paid every single penny of its share of this project and millions of dollars more to keep it on track, to keep the costs down.

□ 2120

Tonight we have heard I think both an instructive and an educational debate. They say there are two primary objections here. One, the country cannot afford this project, and two, that we do not need it.

I know that the gentleman from Michigan conducted extensive oversight hearings and nothing tonight has changed the fact, as the Secretary of Energy has written everyone in this Chamber, that this project is on schedule and this project is on budget.

The Department of Energy has been criticized here tonight for aggressive oversight. In fact, when W. Henson Moore discovered problems in the administration of the project, he aggressively rooted out those problems, corrected those problems, brought the project back on schedule, and tonight the DOE is criticized for that, of all things, for the aggressive oversight that has this project as we speak here tonight on schedule and on budget. That is just not fair.

Also, we see in the budget debate that this project since the final cost

analysis was done and the most extensive studies conducted has stayed on track and on budget.

But let me talk a minute about this issue about "We don't need it." My colleagues, remember the statistics that we have heard in the last few years that one-half of our Nation's gross national product of America comes from technologies that did not exist just 30 years ago. One-half of the entire productivity of America comes from technologies that did not exist just 30 years ago.

The superconducting super collider is supported by the overwhelming vast majority of the high energy physicists and scientists in this country.

We received a letter from over 500 of them in the mail this week.

This is the future of America, my friends.

You say we do not need it. Let us look at what research in high energy physics has done in the past 30 years, from transistors, to semiconductors, to super computers, to biotechnology, to the space program, the lasers, the medical treatment; that is what this country is and that is what this kind of research has accomplished.

We must invest in the technologies of tomorrow. That is our future. That is our children's future.

Finally, when you say we do not need it, how many lives do we have to save before we need it?

My friends, I want to close my debate with you tonight by reading to you a portion of an announcement that was made today in Dallas, Texas, where cancer patients—please listen to this—it was said tonight this will not cure cancer. You know, my friends, it just might. Listen to what happened today:

Cancer patients will soon benefit from the super collider, say doctors who today announced that protons from the giant atom smasher will be used in medical treatment. The plans were announced by the University of Texas Southwestern Medical Center and a \$28 million patient laboratory to be constructed on the site of the superconductor super collider.

Mr. Chairman, this site will use the protons from the super collider to cure cancer. This is the future of America. This is the project we ought to support. Vote down this amendment.

Mr. ROGERS. Mr. Chairman, I rise in support of the energy and water development appropriations bill for fiscal year 1993.

This bill is the first of the thirteen general appropriations bills to be reported by the Committee on Appropriations, and it represents difficult and wise judgments on the part of the subcommittee chairman, the gentleman from Alabama, as well as the ranking member, the gentleman from Indiana, and the other members of the Subcommittee on Energy and Water Development.

H.R. 5373 demonstrates the fiscal constraints under which the Appropriations Committee must operate this year, as well as the ability to write responsible spending bills which honor those limits. If fact, the budget authority

in the bill falls substantially below that of the fiscal year 1992 act and the administration's fiscal year 1993 request.

The bill also supports programs which, almost without exception, impact and benefit every congressional district in the Nation.

During the most fiscally stringent environment many of us have ever experienced, H.R. 5373 continues essential flood control and other benefits provided by the U.S. Army Corps of Engineers. I am especially grateful to the subcommittee for providing funds for ongoing flood control projects in Harlan, Barbourville, South Williamson, and Salyersville, KY. These communities have been hit very hard by disastrous floods over the course of this century. The actions of the committee, and I hope the House, will today bring these communities one major step closer to ultimate protection from the turmoil which nature would otherwise inflict.

The subcommittee and committee also have recommended continuing planning and study work for a number of other communities within eastern Kentucky, including several areas which comprise the Levisa and Tug forks of the Big Sandy River and Upper Cumberland River basins. I thank the chairman and ranking member of the subcommittee, in particular, for these recommendations, which benefit Kentucky communities including Martin, Hazard, West Liberty, Salyersville, Jackson, Middlesboro, Pike County, and Martin County.

The subcommittee understandably adopted a policy of not funding preconstruction or construction work for additional corps projects, a result of very austere times for the committee, the Congress, and the Nation. The citizens of Williamsburg, KY, in my district, have been cooperating closely with the Corps of Engineers on a flood control plan being readied for approval and implementation in fiscal year 1993. Because of this year's funding constraints, the subcommittee could not provide initial funding for the Williamsburg Section 202 project; however, I hope that the subcommittee will continue its consideration of this need as the fiscal year 1993 process progresses.

The subcommittee also brings to the House a number of recommendations for other important programs and agencies. The bill includes substantial funding for energy supply, research and development activities within the Department of Energy. It continues to respond to the resource needs of our defense material production facilities with respect to environmental cleanup and waste management, an area which requires substantial efforts.

Finally, the bill includes continued funding for the Appalachian Regional Commission, which has supplied untold assistance to the many poverty-stricken areas of eastern Kentucky over the years. The ARC provides grants for the most basic services in some of the Nation's most destitute communities. It also contributes to the economic development of these areas through the Appalachian Development Highway program, which I strongly support. Kentucky has actively sought to complete the mission of the ARC highway program, even to the extent of prefinancing some \$70 million worth of vital corridor improvements. ARC highway dollars, as well as the other ARC programs, are justified and well spent. Therefore, I commend the subcommittee for including these funds.

I urge my colleagues to support this bill.

Mr. GOSS. Mr. Chairman, in the past I have always supported the superconducting super collider [SSC]. It is with much regret that I find myself having to break with tradition today. Voting to cut funding on the SSC may seem like a drastic measure, but drastic measures are necessary if we are serious about reducing the Federal deficit.

I have heard all of the arguments for continued funding of the SSC—and I agree that the SSC offers much promise for the future of science, education, and technology in America. Unfortunately, all of this comes with a hefty price tag that we simply cannot afford until we sit down and set real spending priorities.

My colleagues that oppose deleting SSC funding tell me that a vote to cut funding is a vote to cut jobs, cancel contracts and place the competitive edge of the United States in jeopardy. I assure you that I do not take these possibilities lightly and understand the many implications involved in this vote. Unfortunately, as our deficit approaches \$400 billion, the fact that we have already made a substantial investment in the SSC is simply not enough to justify continuation of this project at its current funding level.

Mr. Chairman, cutting funding for the SSC may cost us in the short run. However, it is this body's failure to address the long-term effects of overspending that has put us on such weak financial footing. It is far better to begin this process now—while there are still choices to be made—than to wait until our decisions are made for us. In the absence of any plan to achieve a balanced budget, I feel it wisest not to commit to spend funds we don't have.

The CHAIRMAN. All time under the unanimous-consent agreement has expired on this amendment.

The question is on the amendment offered by the gentleman from Ohio [Mr. ECKART].

The question was taken; and the Chairman announced that the yeas appeared to have it.

RECORDED VOTE

Mr. ECKART. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 232, yeas 181, not voting 21, as follows:

[Roll No. 201]

AYES—232

Abercrombie	Campbell (CA)	Dorgan (ND)
Ackerman	Campbell (CO)	Downey
Andrews (ME)	Carper	Duncan
Annunzio	Carr	Durbin
Applegate	Clay	Early
Atkins	Clement	Eckart
AuCoin	Coble	Edwards (CA)
Ballenger	Coleman (MO)	Edwards (OK)
Barrett	Collins (IL)	English
Beilenson	Collins (MI)	Evans
Bennett	Condit	Ewing
Bereuter	Conyers	Feighan
Berman	Costello	Fish
Blibray	Coughlin	Flake
Blackwell	Cox (IL)	Foglietta
Boehlert	DeLauro	Ford (MI)
Boxer	Dellums	Ford (TN)
Bruce	Dingell	Frank (MA)
Bunning	Donnelly	Gaydos
Burton	Dooley	Gejdenson
Camp	Doolittle	Gillmor

Gilman
Glickman
Goodling
Cordon
Goss
Gradison
Grandy
Guarini
Gunderson
Hall (OH)
Hamilton
Hancock
Hastert
Hayes (IL)
Hefley
Henry
Henger
Hoagland
Horn
Horton
Hughes
Hutto
Inhofe
Jacobs
James
Jefferson
Johnson (CT)
Johnston
Jontz
Kanjorski
Kennedy
Kennelly
Kildee
Klecza
Klug
Kostmayer
LaFalce
Lancaster
Lantos
Leach
Lehman (CA)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lipinski
Long
Lowery (CA)
Luken
Machtley
Markey
Marlenee
Martin
Martinez
McCandless
McCollum

McCurdy
McDermott
McGrath
McMillan (NC)
Meyers
Mfume
Miller (CA)
Mink
Moakley
Molinari
Moody
Morella
Mrázek
Neal (MA)
Neal (NC)
Nichols
Nowak
Nussle
Oberstar
Obey
Oliver
Orton
Owens (NY)
Owens (UT)
Pallone
Panteta
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Pease
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Porter
Poshard
Price
Rahall
Ramstad
Ravenel
Reed
Regula
Rinaldo
Ritter
Roberts
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Roybal
Russo
Sabo

Sanders
Sangmeister
Savage
Sawyer
Saxton
Scheuer
Schroeder
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Slattery
Slaughter
Smith (FL)
Snowe
Solarez
Solomon
Spratt
Staggers
Stark
Stearns
Studds
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Taylor (MS)
Thomas (CA)
Towns
Unsoeld
Upton
Valentine
Vento
Visclosky
Washington
Waters
Waxman
Weiss
Weldon
Wheat
Williams
Wise
Wolf
Wolpe
Wyden
Wyllie
Yates
Zeliff
Zimmer

Mavroules
Mazzoli
McCloskey
McCrery
McEwen
McHugh
McMillen (MD)
McNulty
Miller (OH)
Miller (WA)
Mineta
Mollohan
Montgomery
Moorhead
Moran
Morrison
Murtha
Myers
Nagle
Natcher
Oakar
Olin
Ortiz
Oxley
Packard

Payne (VA)
Perkins
Pickett
Pickle
Pursell
Rangel
Ray
Rhodes
Richardson
Riggs
Roe
Roemer
Rogers
Rowland
Santorum
Sarpallus
Schaefer
Schiff
Skaggs
Skeen
Skeltton
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)

Spence
Stallings
Stenholm
Stokes
Stump
Tausin
Taylor (NC)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Traffant
Vander Jagt
Volkmmer
Vucanovich
Walker
Walsh
Whitten
Wilson
Yatron
Young (AK)
Young (FL)

NOT VOTING—21

Bonior
Broomfield
Cardin
Crane
Dymally
Espy
Hatcher

Hefner
Hubbard
Jones (GA)
Jones (NC)
Kolter
McDade
Michel

Murphy
Quillen
Ridge
Schulze
Schumer
Traxler
Weber

□ 2146

The Clerk announced the following pairs:

On this vote:

Mr. Murphy for, with Mr. Quillen against.
Mr. Jones of Georgia for, with Mr. McDade against.

Messrs. OLIVER, HORTON, THOMAS of California, LEHMAN of California, LENT, EDWARDS of Oklahoma, FOGLIETTA, and KENNEDY changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

SUPERCONDUCTING SUPER COLLIDER TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

There is established in the Treasury a fund to be known as the Department of Energy Superconducting Super Collider (SSC) Trust Fund, which shall consist of moneys provided by non-Federal participants in Department of Energy SSC activities: *Provided*, That amounts deposited in the Fund are available, without fiscal year limitation, for transfer by the Secretary of Energy to the "General Science and Research Activities" account, to be used for costs incurred in the design and construction of the SSC: *Provided further*, That amounts deposited in the fund shall earn interest at a rate and under such terms and conditions as may be prescribed by the Secretary of the Treasury.

NUCLEAR WASTE DISPOSAL FUND

For nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or facility construction or expansion, \$275,071,000, to remain available until expended, to be derived from the Nuclear Waste Fund. To the extent that balances in the fund are not sufficient to cover amounts available for obligation in the account, the Secretary shall exercise his authority pursuant to section 302(e)(5) of said Act to issue obligations to the Secretary of the Treasury: *Provided*, That of the amount herein appro-

riated, within available funds, not to exceed \$5,750,000 may be provided to the State of Nevada, for the conduct of its oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended: *Provided further*, That of the amount herein appropriated, not more than \$6,250,000 may be provided to affected local governments, as defined in the Act, to conduct appropriate activities pursuant to the Act: *Provided further*, That the distribution of the funds herein provided among the affected units of local government shall be determined by the Department of Energy (DOE) and made available to the State and affected units of local government by direct payment: *Provided further*, That within 90 days of the completion of each Federal fiscal year, each entity shall provide certification to the DOE, that all funds expended from such direct payment monies have been expended for activities as defined in Public Law 97-425, as amended. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: *Provided further*, That none of the funds herein appropriated may be used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for any lobbying activity as provided in 18 U.S.C. 1913: *Provided further*, That none of the funds herein appropriated may be used for litigation expenses: *Provided further*, That of the amount appropriated herein, up to \$1,700,000 shall be available for infrastructure studies and other research and development work to be carried out by the University of Nevada, Las Vegas (UNLV) and the University of Nevada, Reno. Funding to the universities will be administered by the DOE through a cooperative agreement.

Mrs. UNSOELD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, to enable expansion of the Bonneville Dam on the Columbia River, the town of North Bonneville, WA, as condemned. In 1973, Congress required the Army Corps of Engineers to relocate the town—in section 83 of Public Law 93-251—but 20 years later, the town still does not have title to its new lands and facilities, and the relocation effort has been mired in litigation.

My colleague from Washington, [Mr. MORRISON] and I have been working with the Public Works Committee on a solution to the North Bonneville situation and should soon have legislative language that meets with the approval of the committee. Once this language is developed, and with the consent of the authorizing committee, would the gentleman from Alabama [Mr. BEVILL] be agreeable to its inclusion in the energy and water appropriations bill at a later date?

Mr. BEVILL. Mr. Chairman, will the gentleman yield?

Mrs. UNSOELD. I yield to the gentleman from Alabama.

□ 2150

Mr. BEVILL. Mr. Chairman, I would certainly be willing to consider the inclusion of North Bonneville language under such circumstances.

Mr. SKEEN. Mr. Chairman, I move to strike the last word.

NOES—181

Alexander
Allard
Allen
Anderson
Andrews (NJ)
Andrews (TX)
Anthony
Archer
Armey
Aspin
Bacchus
Baker
Barnard
Barton
Bateman
Bentley
Bevill
Billirakis
Bliley
Boehner
Borski
Boucher
Brewster
Brooks
Browder
Brown
Bryant
Bustamante
Byron
Callahan
Chandler
Chapman
Clinger
Coleman (TX)
Combest
Cooper

Cox (CA)
Coyne
Cramer
Cunningham
Dannemeyer
Darden
Davis
de la Garza
DeFazio
DeLay
Derrick
Dickinson
Dicks
Dixon
Dornan (CA)
Dreier
Dwyer
Edwards (TX)
Emerson
Engel
Erdreich
Fascell
Fawell
Fazio
Fields
Franks (CT)
Frost
Gallegly
Gallo
Gekas
Gephardt
Graham
Geren
Gibbons
Gilchrest
Gingrich
Gonzalez

Green
Hall (TX)
Hammerschmidt
Hansen
Harris
Hayes (LA)
Hertel
Hobson
Hochbrueckner
Holloway
Hopkins
Houghton
Hoyer
Huckaby
Hunter
Hyde
Ireland
Jenkins
Johnson (SD)
Johnson (TX)
Kaptur
Kasich
Kolbe
Kopetski
Kyl
Lagomarsino
LaRocco
Laughlin
Lehman (FL)
Levine (CA)
Lightfoot
Livingston
Lloyd
Lowey (NY)
Manton
Matsui

Mr. Chairman, I want to begin by saying to the gentleman from Alabama [Mr. BEVILL] and the gentleman from Indiana [Mr. MYERS] that they have done an outstanding job on this bill and I appreciate the accommodation.

Mr. Chairman, I want to take this time to illuminate a situation that has arisen because of a new program called the MRS, monitored retrievable storage, for high level nuclear commercial waste.

Mr. Chairman, monitored retrievable storage is a high level waste repository on a temporary scale. It is a scheme that has been concocted by the Department of Energy and given to the tender mercy of what is known as a nuclear negotiator.

Mr. Chairman, this program solicits sitings for this processing and storage idea from various entities throughout the country by offering them a phase 1 program in which they get \$100,000 to study the feasibility of it, on phase 1. If you go to phase 2, it has two parts. Phase 2, part A, offers the candidate \$200,000 and so forth.

These candidates are supposed to engender public support and prove that it is a worthwhile siting for this type of a repository.

Mr. Chairman, one of my Indian tribes in my district has been one of the first to solicit as a candidate for this particular site. They are located in one of the most beautiful parts of the State of New Mexico, adjacent to a very, very famous resort area. They have gone through phase 1. They have gone through part A of phase 2. Now the negotiator wants to change the rules and decided to give them more money, up to \$2.8 million to study it, when they have engendered absolutely no support whatever from the congressional delegation, the State administration, from the legislature of the State, from the surrounding communities, from the county commissions, and so forth.

New Mexico does not want to reject the idea of taking our responsibility in handling nuclear waste. We do have the waste isolation pilot project.

Mr. Chairman, I brought this up to the committee and I failed to get it in as an amendment within the committee. I also took it to the Committee on Rules. But I think that this is an opportunity to tell the Department of Energy and the nuclear negotiator that you cannot just keep throwing away \$2.8 million when there is absolutely no way in which this site will ever be situated on that Indian reservation in central New Mexico because there is absolutely no public support for it.

Mr. Chairman, I thank the chairman for his indulgence and thank the body for their indulgence, but I think that this is something that everybody understands, that this program is vibrant, that there are some 20-some applicants for this phasing, and I think

everyone should have an idea of exactly how it works and that there is an inability for the Department of Energy and the nuclear negotiator to stay by their word and say that if there is no public support, we will stop the program immediately and not put any more money in it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In paying the amounts determined to be appropriate as a result of the decision in Consolidated Edison Company of New York v. Department of Energy 870 F.2d 694 (D.C. Cir. 1989), the Department of Energy shall pay interest at a rate to be determined by the Secretary of the Treasury and calculated from the date the amounts were deposited into the Nuclear Waste Fund. Such payments may be made by credits to future utility payments into the Fund.

ISOTOPE PRODUCTION AND DISTRIBUTION PROGRAM FUND

Revenues received hereafter from the disposition of isotopes and related services shall be credited to this account, to be available for carrying out the purposes of the isotope production and distribution program without further appropriation: *Provided*, That such revenues and all funds provided under this head in Public Law 101-101 shall remain available until expended: *Provided further*, That if at any time the amounts available to the fund are insufficient to enable the Department of Energy to discharge its responsibilities with respect to isotope production and distribution, the Secretary may borrow from amounts available in the Treasury, such sums as are necessary up to a maximum of \$5,000,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 93 for replacement only, the purchase of two fixed-wing and two rotary-wing aircraft, for replacement only), \$4,548,749,000, to remain available until expended, of which \$40,000,000 shall be available for nuclear nonproliferation detection technology and other projects and activities of the Department of Energy: *Provided*, That none of the funds appropriated or otherwise made available for the Department of Energy for fiscal year 1993 may be obligated to implement the reconfiguration of nonnuclear activities of the Department of Energy until the occurrence of the following:

(1) The Secretary of Energy submits a report to the Committees on Appropriations that contains an analysis of the projected costs and benefits of the proposed nonnuclear reconfiguration and an analysis of the alternatives considered. The analyses shall take into account all relevant costs and benefits and shall include a discounted cash flow analysis of each alternative.

(2) The Secretary of Energy certifies to the Committees on Appropriations that the discounted cash flow analysis demonstrates that the proposed nonnuclear reconfiguration

is cost-effective on a plant by plant basis.

(3) A period of 90 days has elapsed after the later of the submission of the report and the certification by the Secretary of Energy.

Nothing in this provision prohibits the obligation of funds for studies, analysis, or preparation of conceptual designs that are necessary to assess the cost-effectiveness or feasibility of nonnuclear reconfiguration.

NEW PRODUCTION REACTOR

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense new production reactor activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$171,800,000, to remain available until expended: *Provided*, That \$100,000,000 for design of new production reactor capacity made available under the Energy and Water Development Appropriations Act, 1992, shall be available without regard to the issuance of the Record of Decision on the Environmental Impact Statement on New Production Reactor Capacity.

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 148 for replacement only), \$4,603,009,000, to remain available until expended: *Provided*, That notwithstanding any other law, funds appropriated under this heading may be made available to pay \$100,000 to the United States Environmental Protection Agency for a stipulated penalty assessed under the Comprehensive Environmental Response, Compensation and Liability Act against the Fernald Environmental Management Project.

MATERIALS PRODUCTION AND OTHER DEFENSE PROGRAMS

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense materials production, and other defense programs activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 45 for replacement only), \$2,550,901,000, to remain available until expended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for Departmental Administration and other activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed \$35,000),

\$427,228,000 to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total \$318,381,000 in fiscal year 1993 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of section 3302 of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 1993 so as to result in a final fiscal year 1993 appropriation estimated at not more than \$108,847,000.

AMENDMENT OFFERED BY MR. PENNY

Mr. PENNY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PENNY: Page 42, line 8, strike "\$427,228,000" and insert "\$405,656,000".

Page 42, line 25, strike "\$108,847,000" and insert "\$87,275,000".

The CHAIRMAN. The Chair will advise the Committee that we are about to embark on the final amendment of the evening.

The gentleman from Minnesota [Mr. PENNY] is recognized for 5 minutes in support of his amendment.

Mr. PENNY. Mr. Chairman, along with our colleague, the gentlewoman from California [Mrs. BOXER] I offer an amendment to freeze departmental administration appropriations at the Energy Department at current year, fiscal year 1992 levels. Specifically, our amendment will reduce the Energy Department's administrative funding to \$405,656,000, a \$21.5 million reduction. At the outset, let me thank my co-author of this amendment Congresswoman BOXER for her dedicated and tireless work on this amendment and countless other legislative efforts intended to reduce government waste. Let me also give special thanks to BYRON DORGAN, DAN GLICKMAN, and LAMAR SMITH for their diligent work in this body to eliminate government waste and overhead costs.

As reported from the Appropriations Committee, the bill provides for over a \$21 million increase—an increase of 5 percent—over 1992 for purely administrative funding at the Energy Department. It is tough to justify such an increase since overall appropriations contained in H.R. 5373 is \$44 million less than current year spending, and as reported, the bill is below the allocation set by the budget resolution. In addition, the committee bill contains no new project starts and many programs and activities are being reduced, frozen, or receive very small funding increases over current year levels.

For the current fiscal year, this committee granted the Energy Department

nearly a \$50 million increase in departmental funding. The year before, fiscal year 1991, the Department was granted a \$25 million increase for administrative purposes. The Energy Department's appetite for budget increases is insatiable. As our colleague BYRON DORGAN has stated in his waste task force report, Mr. Chairman, over the last decade, administrative funding for all Cabinet departments and agencies—including the Energy Department—grew by over 8 percent, while comparable funding for the legislative branch was reduced 5 percent. This year, our own in-house funding will be reduced by at least 5.7 percent, and perhaps more. If the House and the Senate, whose budgets have been going down, can absorb this level of reduction—and as one who has come to this floor year-after-year with amendments to reduce legislative branch funding—then surely executive departments can live with a similar reduction.

Mr. Chairman, this amendment is where the rubber hits the road. Last week we heard a lot of very good speeches about how we don't need constitutional amendments to reduce spending, all we needed, these opponents of a balanced budget amendment said, was to make the tough choices. Well, here's a real live budget reduction, and along with the colleagues who coauthored the amendment, we will present other appropriations amendments this year. Here's your chance to vote for real cuts; in this case, a \$21.5 million reduction.

Now, before I yield, let me say what this amendment will not do. It will not cut any project or program funded. It will simply cut administrative funding, pure and simple.

The Penny-Boxer-Dorgan-Glickman amendment is where we must start to reduce government spending. The American people want lean and effective government. I urge adoption of the amendment.

Mr. Chairman, I yield to the gentleman from Alabama [Mr. BEVILL].

Mr. BEVILL. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would like to clarify that the only accounts being impacted by this amendment are the Office of the Secretary and general management salaries and expense accounts at the top of the table on page 118. Is that correct?

Mr. PENNY. Mr. Chairman, reclaiming my time, the gentleman is correct in that understanding.

Mr. BEVILL. Mr. Chairman, then we have no objection to the amendment.

Mr. PENNY. Mr. Chairman, I yield to the gentleman from North Dakota [Mr. DORGAN].

Mr. DORGAN of North Dakota. Mr. Chairman, I rise to support the proposed cut. I think in this instance it could have been a greater reduction. What we are attempting to do is to

take a look at indirect costs or overhead costs and see if we can reduce some of the spending.

Mr. Chairman, we will have the legislative appropriations bill before us soon and we will all be dealing with the pressure to reduce costs, to reduce budgets, here in this branch of the Government. I think we ought to consider the same approach with other branches of the Government. It is what the taxpayers expect. One of five dollars spent in the Federal budget is not for program costs, but is for indirect costs or overhead.

□ 2200

It seems to me that there is plenty of room to start holding the line on some of these. I think that the gentleman has an awfully good amendment. I support it.

Mr. PENNY. Mr. Chairman, I yield to the gentlewoman from California [Mrs. BOXER].

Mrs. BOXER. Mr. Chairman, I rise to urge support for the Penny-Boxer-Dorgan-Glickman amendment to H.R. 5373.

This is the first in a series of overhaul, cost-cutting amendments that we will be offering that will focus on cutting out wasteful overhead costs. After holding dozens of factfinding meetings with the Inspectors General, combing General Accounting Office reports and scrutinizing spending in all corners of the bureaucracy, the Democratic Task Force on Government Waste, on which I serve, has recently released its study of Federal spending practices, called "The Challenge to Sound Management."

We have identified waste and mismanagement that are costing U.S. taxpayers \$60 to \$85 billion. This document—and I recommend it to my colleagues if you have not seen it—reveals the extent of unnecessary duplication, costly management failures, and just plain waste that is bloating the Federal bureaucracy.

In just cutting administrative overhead alone, we could save anywhere from \$15 to \$30 billion by cutting back on office supplies, transportation, and other administrative spending.

Today we have an opportunity to cut overhead—not programs. The Energy and Water bill before us calls for a 5-percent increase in administrative funding for the Energy Department, even though no new projects have been authorized and increases in existing projects have been kept to a minimal level. In fact, the overall funding for programs in this bill is below the level for fiscal year 1992.

All of us know that the Federal Government needs to tighten its belt. The legislative branch will probably sustain a 6-percent cut in funding for next year. In fact, in the last decade legislative branch spending has declined relative to inflation, while funding for Cabinet agencies has risen by 8 percent or more per year.

Last week I was among the many Members of Congress who voted for a balanced budget amendment. Today we can begin the process of putting our money—the taxpayers' money—where our mouths are.

Support the Penny-Boxer amendment.

Mr. PENNY. Mr. Chairman, I yield to the gentleman from Kansas [Mr. GLICKMAN].

Mr. GLICKMAN. Mr. Chairman, I rise in support of this amendment, an effective way to let the taxpayers know that we can reduce spending without reducing essential services.

Mr. PENNY. Mr. Chairman, I again urge adoption of the amendment.

Mr. MYERS of Indiana. Mr. Chairman, I rise in support of the amendment.

The Republican side has examined this amendment and accepts it. We do so in the spirit of hoping that it will not be necessary at this late date to have a vote. We accept it with the understanding that there will not have to be a vote.

We are going to final passage very soon, so I hope it will not be necessary to have a vote on this amendment. We have all been here so long. We all accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. PENNY].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mrs. BOXER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 404, noes 12, not voting 18, as follows:

[Roll No. 202]

AYES—404

Abercrombie	Boehner	Cooper
Ackerman	Borski	Costello
Alexander	Boucher	Coughlin
Allard	Boxer	Cox (CA)
Allen	Brewster	Cox (IL)
Anderson	Brooks	Coyne
Andrews (ME)	Browder	Cramer
Andrews (NJ)	Brown	Cunningham
Andrews (TX)	Bruce	Dannemeyer
Annunzio	Bryant	Darden
Anthony	Bunning	Davis
Applegate	Burton	de la Garza
Archer	Bustamante	DeFazio
Armey	Byron	DeLauro
Aspin	Callahan	DeLay
Atkins	Camp	Dellums
AuCoin	Campbell (CA)	Derrick
Bacchus	Campbell (CO)	Dickinson
Ballenger	Carper	Dicks
Barnard	Carr	Dingell
Barrett	Chandler	Dixon
Bateman	Chapman	Donnelly
Bellenson	Clay	Dooley
Bennett	Clement	Doolittle
Bentley	Clinger	Dorgan (ND)
Bereuter	Coble	Dornan (CA)
Berman	Coleman (MO)	Downey
Bevill	Coleman (TX)	Dreier
Bilbray	Collins (IL)	Duncan
Bilirakis	Collins (MI)	Durbin
Blackwell	Combest	Dwyer
Billey	Condit	Early
Boehliert	Conyers	Eckart

Edwards (CA)	Lancaster	Ramstad
Edwards (OK)	Lantos	Rangel
Edwards (TX)	LaRocco	Ravenel
Emerson	Laughlin	Ray
Engel	Leach	Reed
English	Lehman (CA)	Regula
Erdreich	Lehman (FL)	Rhodes
Espy	Lent	Richardson
Evans	Levin (MI)	Ridge
Ewing	Levine (CA)	Riggs
Fascell	Lewis (FL)	Rinaldo
Fawell	Lewis (GA)	Roberts
Fazio	Lightfoot	Roe
Feighan	Lipinski	Roemer
Fields	Lloyd	Rogers
Flake	Long	Rohrabacher
Foglietta	Lowe (NY)	Ros-Lehtinen
Ford (MI)	Lukens	Rose
Ford (TN)	Machtley	Rostenkowski
Frank (MA)	Manton	Roth
Franks (CT)	Markey	Roukema
Frost	Marlenee	Rowland
Gallegly	Martin	Roybal
Gallo	Martinez	Russo
Gaydos	Matsui	Sabo
Geldenson	Mavroules	Sanders
Gekas	Mazoli	Sangmeister
Gephardt	McCandless	Santorum
Geren	McCloskey	Sarpalio
Gibbons	McCollum	Savage
Gilchrest	McCrary	Sawyer
Gillmor	McCurdy	Saxton
Gilman	McDermott	Schaefer
Gingrich	McEwen	Scheuer
Glickman	McGrath	Schiff
Goodling	McHugh	Schroeder
Gordon	McMillan (NC)	Schulze
Goss	McMillen (MD)	Sensenbrenner
Gradison	McNulty	Serrano
Grandy	Meyers	Sharp
Green	Mfume	Shaw
Guarini	Michel	Shays
Gunderson	Miller (CA)	Shuster
Hall (OH)	Miller (OH)	Sikorski
Hall (TX)	Miller (WA)	Siskis
Hamilton	Mineta	Skaggs
Hammerschmidt	Mink	Skelton
Hancock	Moakley	Slattery
Hansen	Mollinari	Slaughter
Harris	Mollohan	Smith (FL)
Hastert	Montgomery	Smith (IA)
Hatcher	Moody	Smith (NJ)
Hayes (IL)	Moorhead	Smith (OR)
Hayes (LA)	Morella	Smith (TX)
Hefley	Morrison	Snowe
Henry	Mrazek	Solarz
Henger	Murtha	Solomon
Hertel	Nagle	Spence
Hoagland	Natcher	Spratt
Hobson	Neal (MA)	Staggers
Hochbrueckner	Neal (NC)	Stallings
Holloway	Nichols	Stark
Hopkins	Nowak	Stearns
Horn	Nussle	Stenholm
Horton	Oaker	Stokes
Houghton	Oberstar	Studds
Hoyer	Obey	Stump
Huckaby	Olin	Sundquist
Hughes	Oliver	Swett
Hunter	Ortiz	Synar
Hutto	Orton	Tallon
Hyde	Owens (NY)	Tanner
Inhofe	Owens (UT)	Tauzin
Ireland	Oxley	Taylor (MS)
Jacobs	Packard	Taylor (NC)
James	Pallone	Thomas (CA)
Jefferson	Panetta	Thomas (GA)
Jenkins	Parker	Thomas (WY)
Johnson (CT)	Pastor	Thornton
Johnson (SD)	Patterson	Torres
Johnston	Paxon	Torricelli
Jontz	Payne (NJ)	Towns
Kanjorski	Payne (VA)	Trafiacant
Kaptur	Pease	Unsoeld
Kasich	Pelosi	Upton
Kennedy	Penny	Valentine
Kennelly	Perkins	Vander Jagt
Kildee	Peterson (FL)	Vento
Kleczka	Peterson (MN)	Visclosky
Klug	Petri	Volkmer
Kolbe	Pickett	Vucanovich
Kopetski	Pickle	Walker
Kostmayer	Porter	Walsh
Kyl	Poshard	Washington
LaFalce	Price	Waters
Lagomarsino	Pursell	Waxman

Weiss	Wise	Yatron
Weldon	Wolf	Young (AK)
Wheat	Wolpe	Young (FL)
Whitten	Wyden	Zeliff
Williams	Wyllie	Zimmer
Wilson	Yates	

NOES—12

Baker	Johnson (TX)	Moran
Barton	Lewis (CA)	Myers
Fish	Livingston	Rahall
Gonzalez	Lowery (CA)	Skeen

NOT VOTING—18

Bonior	Hubbard	Quillen
Broomfield	Jones (GA)	Ritter
Cardin	Jones (NC)	Schumer
Crane	Kolter	Swift
Dymally	McDade	Traxler
Hefner	Murphy	Weber

□ 2220

Mr. LEWIS of California changed his vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. RITTER. Mr. Chairman, I would like to explain that I was about 20 seconds off the floor when the vote was terminated on the Penny amendment of 10 percent on the Appropriations bill.

Had I been here, I would have voted for the Penny amendment.

□ 2220

Mr. BEVILL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, on behalf of our committee I just want to commend you for presiding over the Committee of the Whole since 1983 for this bill. You have announced your retirement, and we just want to express to you our appreciation for the great job you have done.

Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The text of the remainder of the bill is as follows:

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$30,362,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS OPERATION AND MAINTENANCE, ALASKA POWER ADMINISTRATION

For necessary expenses of operation and maintenance of projects in Alaska and of marketing electric power and energy, \$3,577,000, to remain available until expended.

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for the Springfield Hatchery Production Facility, Dryden Dam Fish Screens, Bonneville Fish Sampling Facility, and Hungry Horse Resident Fish Hatchery, and, the purchase, main-

tenance and operation of two rotary-wing aircraft for replacement only; and for official reception and representation expenses in an amount not to exceed \$3,000.

During fiscal year 1993, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, \$32,411,000, to remain available until expended.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed \$1,500 connected therewith, in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, \$21,907,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed \$11,412,000 in reimbursements, to remain available until expended.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7101, et seq.), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed \$1,500, \$326,634,000, to remain available until expended, of which \$305,390,000 shall be derived from the Department of the Interior Reclamation fund; in addition, the Secretary of the Treasury is authorized to transfer from the Colorado River Dam Fund to the Western Area Power Administration \$6,563,000, to carry out the power marketing and transmission activities of the Boulder Canyon project as provided in section 104(a)(4) of the Hoover Power Plant Act of 1984, to remain available until expended.

FEDERAL ENERGY REGULATORY COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including services as authorized by 5 U.S.C. 3109, including the hire of passenger motor vehicles; official reception and representation expenses (not to exceed \$3,000); \$142,801,000 to remain available until expended: *Provided*, That hereafter and notwithstanding any other provision of law, not to exceed \$142,801,000 of revenues from fees and annual charges, and other services and collections in fiscal year 1993, shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as revenues are received during fiscal year 1993, so as to result in a final fiscal year 1993 appropriation estimated at not more than \$0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(TRANSFER OF FUNDS)

SEC. 301. Appropriations for the Department of Energy under this title in this and subsequent Energy and Water Development Appropriations Acts, hereafter shall be available for hire of passenger motor vehicles; hire, maintenance and operation of aircraft; purchase, repair and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services. From these appropriations, transfers of sums may hereafter be made to other agencies of the United States Government for the performance of work for which this appropriation is made. None of the funds made available to the Department of Energy under this Act or subsequent Energy and Water Development Appropriations Acts shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriation Act. The Secretary is authorized hereafter to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, private, or foreign.

(TRANSFER OF FUNDS)

SEC. 302. Not to exceed 5 per centum of any appropriation made available for Department of Energy activities funded in this Act or subsequent Energy and Water Development Appropriations Acts may hereafter be transferred between such appropriations, but no such appropriation, except as otherwise provided, shall be increased or decreased by more than 5 per centum by any such transfers, and any such proposed transfers shall be submitted promptly to the Committees on Appropriations of the House and Senate.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 303. The unexpended balances of prior appropriations provided for activities in this Act or subsequent Energy and Water Development Appropriations Acts may hereafter be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

MINORITY PARTICIPATION IN THE SUPERCONDUCTING SUPER COLLIDER

SEC. 304. (a) **FEDERAL FUNDING.**—The Secretary of Energy hereafter shall, to the fullest extent possible, ensure that at least 10 per centum of Federal funding for the development, construction, and operation of the Superconducting Super Collider be made available to business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals (within the meaning of section 8(a) (5) and (6) of the Small Business Act (15 U.S.C. 637(a) (5) and (6))), including historically black colleges and universities and colleges and universities having a student body in which more than 20 percent of the students are Hispanic Americans or Native Americans. For purposes of this section, economically and socially disadvantaged individuals shall be deemed to include women.

(b) **OTHER PARTICIPATION.**—The Secretary of Energy hereafter shall, to the fullest extent possible, ensure significant participation, in addition to that described in subsection (a), in the development, construction, and operation of the Superconducting Super Collider by socially and economically

disadvantaged individuals (within the meaning of section 8(a) (5) and (6) of the Small Business Act (15 U.S.C. 637(a) (5) and (6))) and economically disadvantaged women.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, notwithstanding section 405 of said Act, and for necessary expenses for the Federal Co-chairman and the alternate on the Appalachian Regional Commission and for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by section 3109 of title 5, United States Code, and hire of passenger motor vehicles, to remain available until expended, \$185,000,000.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-456, section 1441, \$13,000,000, to remain available until expended.

DELAWARE RIVER BASIN COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the functions of the United States member of the Delaware River Basin Commission, as authorized by law (75 Stat. 716), \$325,000.

CONTRIBUTION TO DELAWARE RIVER BASIN COMMISSION

For payment of the United States share of the current expenses of the Delaware River Basin Commission, as authorized by law (75 Stat. 706, 707), \$475,000.

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

CONTRIBUTION TO INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

To enable the Secretary of the Treasury to pay in advance to the Interstate Commission on the Potomac River Basin the Federal contribution toward the expenses of the Commission during the current fiscal year in the administration of its business in the conservancy district established pursuant to the Act of July 11, 1940 (54 Stat. 748), as amended by the Act of September 25, 1970 (Public Law 91-407), \$485,000.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including the employment of aliens; services authorized by section 3109 of title 5, United States Code; publication and dissemination of atomic information; purchase, repair, and cleaning of uniforms, official representation expenses (not to exceed \$20,000); reimbursements to the General Services Administration for security guard services; hire of passenger motor vehicles and aircraft, \$535,415,000, to remain available until expended, of which \$21,100,000 shall be derived from the Nuclear Waste Fund: *Provided*, That from this appropriation, transfer of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which

transferred: *Provided further*, That moneys received by the Commission for the cooperative nuclear safety research program, services rendered to foreign governments and international organizations, and the material and information access authorization programs, including criminal history checks under section 149 of the Atomic Energy Act of 1954, as amended, may be retained and used for salaries and expenses associated with those activities, notwithstanding the provisions of section 3302 of title 31, United States Code, and shall remain available until expended: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at \$514,315,000 in fiscal year 1993 shall be retained and used for necessary salaries and expenses in this account, notwithstanding the provisions of section 3302 of title 31, United States Code, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1993 from licensing fees, inspection services and other services and collections, excluding those moneys received for the cooperative nuclear safety research program, services rendered to foreign governments and international organizations, and the material and information access authorization programs, so as to result in a final fiscal year 1993 appropriation estimated at not more than \$21,100,000.

OFFICE OF INSPECTOR GENERAL
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, including services authorized by section 3109 of title 5, United States Code, \$4,585,000 to remain available until expended; and in addition, an amount not to exceed 5 percent of this sum may be transferred from Salaries and Expenses, Nuclear Regulatory Commission: *Provided*, That notice of such transfers shall be given to the Committees on Appropriations of the House and Senate: *Provided further*, That from this appropriation, transfers of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections shall be retained and used for necessary salaries and expenses in this account, notwithstanding the provisions of section 3302 of title 31, United States Code, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1993 from licensing fees, inspection services, and other services and collections, so as to result in a final fiscal year 1993 appropriation estimated at not more than \$0.

NUCLEAR WASTE TECHNICAL REVIEW
BOARD

SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100-203, section 5051, \$2,060,000, to be transferred from the Nuclear Waste Fund and to remain available until expended.

SUSQUEHANNA RIVER BASIN
COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the functions of the United States member of the

Susquehanna River Basin Commission as authorized by law (84 Stat. 1541), \$301,000.

CONTRIBUTION TO SUSQUEHANNA RIVER BASIN
COMMISSION

For payment of the United States share of the current expenses of the Susquehanna River Basin Commission, as authorized by law (84 Stat. 1530, 1531), \$290,000.

TENNESSEE VALLEY AUTHORITY
TENNESSEE VALLEY AUTHORITY FUND

For the purpose of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16 U.S.C. ch. 12A), including purchase, hire, maintenance, and operation of aircraft, and purchase and hire of passenger motor vehicles, and for entering into contracts and making payments under section 11 of the National Trails System Act, as amended, \$135,000,000, to remain available until expended: *Provided*, That this appropriation and other moneys available to the Tennessee Valley Authority may be used hereafter for payment of the allowances authorized by section 5948 of title 5, United States Code.

TITLE V—GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act or subsequent Energy and Water Development Appropriations Acts shall remain available for obligation beyond the fiscal year specified in such Acts therein unless expressly so provided therein.

SEC. 502. None of the funds in this Act or subsequent Energy and Water Development Appropriations Acts shall be used to pay the expenses of, or otherwise compensate, parties intervening in regulatory or adjudicatory proceedings funded in such Acts.

SEC. 503. None of the programs, projects or activities as defined in the reports accompanying this Act or subsequent Energy and Water Development Appropriations Acts, may be eliminated or disproportionately reduced due to the application of "Savings and Slippage", "general reduction", or the provision of Public Law 99-177 or Public Law 100-119 unless such reports expressly provide otherwise.

SEC. 504. The expenditure of any appropriation under this Act or subsequent Energy and Water Development Appropriations Acts for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, hereafter shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 505. Notwithstanding any other provision of this Act, subsequent Energy and Water Development Appropriations Acts or any other provision of law hereafter, none of the funds made available under this Act, subsequent Energy and Water Development Appropriations Acts or any other law hereafter shall be used for the purposes of conducting any studies relating or leading to the possibility of changing from the currently required "at cost" to a "market rate" or any other noncost-based method for the pricing of hydroelectric power by the six Federal public power authorities, or other agencies or authorities of the Federal Government, except as may be specifically authorized by Act of Congress hereafter enacted.

SEC. 506. Such sums as may be necessary for Federal employee pay raises for programs funded by this Act or subsequent Energy and Water Development Appropriations Acts hereafter shall be absorbed within the levels appropriated in such Acts.

SEC. 507. During the one-year period beginning on the date of the enactment of this Act, none of the funds made available in this Act or any other provision of law for fiscal year 1993 or any other fiscal year may be available to conduct any explosive nuclear weapons test unless the President certifies to Congress that any of the independent states of the former Soviet Union has conducted an explosive nuclear weapons test during that period.

This Act may be cited as the "Energy and Water Development Appropriations Act, 1993".

The CHAIRMAN. Are there any points of order against any part of the remainder of the bill?

Are there any amendments to any part of the remainder of the bill?

Mr. BEVILL. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. GEPHARDT) having assumed the chair, Mr. PEASE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5373) making appropriations for energy and water development for the fiscal year ending September 30, 1993, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

Mr. WALKER. Mr. Speaker, I demand a separate vote on the so-called Penny amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Page 42, line 8, strike "\$427,228,000" and insert "\$405,656,000".

Page 42, line 25, strike "\$108,847,000" and insert "\$87,275,000".

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SKEEN
Mr. SKEEN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SKEEN. In its present form, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SKEEN moves to recommit the bill, H.R. 5373, to the Committee on Appropriations.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DANNEMEYER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 365, noes 51, not voting 18, as follows:

[Roll No. 203]

AYES—365

Abercrombie	Clay	Fazio
Ackerman	Clement	Feighan
Alexander	Clinger	Fish
Anderson	Coleman (MO)	Flake
Andrews (ME)	Coleman (TX)	Foglietta
Andrews (NJ)	Collins (IL)	Ford (MI)
Andrews (TX)	Collins (MI)	Frank (MA)
Annuzio	Condit	Franks (CT)
Anthony	Conyers	Galleghy
Applegate	Cooper	Gallo
Archer	Costello	Gaydos
Aspin	Coughlin	Gejdenson
Atkins	Cox (IL)	Gekas
AuCoin	Coyne	Gephardt
Bacchus	Cramer	Gibbons
Ballenger	Cunningham	Gilchrest
Barnard	Darden	Gillmor
Barrett	Davis	Gilman
Bateman	de la Garza	Gingrich
Bellenson	DeFazio	Glickman
Bennett	DeLauro	Gonzalez
Bentley	Dellums	Goodling
Bereuter	Derrick	Gordon
Berman	Dickinson	Gradison
Bevill	Dicks	Grandy
Billakis	Dingell	Green
Blackwell	Dixon	Guarini
Bliley	Donnelly	Gunderson
Boehlert	Dooley	Hall (OH)
Boehner	Doolittle	Hamilton
Borski	Dorgan (ND)	Hammerschmidt
Boucher	Dornan (CA)	Hansen
Boxer	Downey	Harris
Brooks	Duncan	Hastert
Browder	Durbin	Hatcher
Brown	Dwyer	Hayes (IL)
Bruce	Early	Hayes (LA)
Bryant	Eckart	Hefley
Bunning	Edwards (CA)	Henry
Bustamante	Edwards (OK)	Hergert
Byron	Emerson	Hertel
Callahan	Engel	Hoagland
Camp	English	Hobson
Campbell (CO)	Erdreich	Hochbrueckner
Carper	Espy	Holloway
Carr	Evans	Hopkins
Chandler	Fascell	Horn
Chapman	Fawell	Horton

Houghton	Mink
Hoyer	Moakley
Huckaby	Molinar
Hughes	Mollohan
Hunter	Montgomery
Hutto	Moran
Hyde	Morella
Inhofe	Morrison
Ireland	Mrazek
James	Murtha
Jefferson	Myers
Jenkins	Nagle
Johnson (CT)	Natcher
Johnson (SD)	Neal (MA)
Johnston	Neal (NC)
Kanjorski	Nichols
Kaptur	Nowak
Kasich	Nussle
Kennedy	Oaker
Kennelly	Oberstar
Kildee	Obey
Kleczka	Olin
Klug	Oliver
Kolbe	Ortiz
Kopetski	Orton
Kostmayer	Owens (NY)
Kyl	Owens (UT)
LaFalce	Packard
Lagomarsino	Pallone
Lanham	Panetta
Lantos	Parker
LaRocco	Pastor
Laughlin	Patterson
Leach	Paxon
Lehman (CA)	Payne (NJ)
Lehman (FL)	Payne (VA)
Lent	Pease
Levin (MI)	Pelosi
Levine (CA)	Penny
Lewis (CA)	Perkins
Lewis (GA)	Peterson (FL)
Lightfoot	Peterson (MN)
Lipinski	Pickett
Lloyd	Pickle
Long	Porter
Lowery (CA)	Poshard
Lowery (NY)	Price
Luken	Pursell
Machtley	Rahall
Manton	Rangel
Markey	Ravenel
Martin	Ray
Martinez	Regula
Matsui	Rhodes
Mavroules	Richardson
Mazoli	Ridge
McCandless	Riggs
McCloskey	Rinaldo
McCrery	Ritter
McCurdy	Roe
McDermott	Roemer
McEwen	Rogers
McGrath	Rohrabacher
McHugh	Ros-Lehtinen
McMillan (NC)	Rose
McMillan (MD)	Rostenkowski
McNulty	Roukema
Meyers	Rowland
Mfume	Roybal
Michel	Russo
Miller (CA)	Sabo
Miller (OH)	Sangmeister
Miller (WA)	Santorum
Mineta	Sarpaluis

NOES—51

Allard	Fields	Ramstad
Allen	Frost	Reed
Armey	Geren	Roberts
Baker	Goss	Roth
Barton	Hall (TX)	Sanders
Billbray	Hancock	Savage
Brewster	Jacobs	Sensenbrenner
Burton	Johnson (TX)	Sikorski
Campbell (CA)	Jontz	Skeen
Coble	Lewis (FL)	Smith (TX)
Combest	Livingston	Solomon
Cox (CA)	Marlenee	Stark
Dannemeyer	McCollum	Stearns
DeLay	Moody	Stenholm
Dreier	Moorhead	Stump
Edwards (TX)	Oxley	Vucanovich
Ewing	Petri	Zelliff

NOT VOTING—18

Bonior	Hefner	Murphy
Broomfield	Hubbard	Quillen
Cardin	Jones (GA)	Schumer
Crane	Jones (NC)	Swift
Dymally	Kolter	Traxler
Ford (TN)	McDade	Weber

□ 2242

The Clerk announced the following pair:

On this vote:

Mr. McDade for, with Mr. Crane against.

Mr. RUSSO and Mr. PAYNE of Virginia changed their vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 5132, DIRE EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1992, FOR DISASTER ASSISTANCE TO MEET URGENT NEEDS BECAUSE OF CALAMITIES SUCH AS THOSE WHICH OCCURRED IN LOS ANGELES AND CHICAGO

Mr. NATCHER submitted the following conference report and statement on the bill (H.R. 5132) making dire emergency supplemental appropriations for disaster assistance to meet urgent needs because of calamities such as those which occurred in Los Angeles and Chicago, for the fiscal year ending September 30, 1992, and for other purposes:

CONFERENCE REPORT (H. REPT. 102-577)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5132) "making dire emergency supplemental appropriations for disaster assistance to meet urgent needs because of calamities such as those which occurred in Los Angeles and Chicago, for the fiscal year ending September 30, 1992, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 8, and 10.

That the House recede from its disagreement to the amendments of the Senate numbered 4, and 14, and agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 3, 5, 7, 9, 11, 12, and 13.

JAMIE L. WHITTEN,
WILLIAM H. NATCHER,
NEAL SMITH,
SIDNEY R. YATES,
EDWARD R. ROYBAL,
TOM BEVILL,
JOHN P. MURTHA,
BOB TRAXLER,
WILLIAM LEHMAN,
JULIAN C. DIXON,
VIC FAZIO,

Managers on the Part of the House.

ROBERT C. BYRD,
DANIEL K. INOUE,
ERNEST F. HOLLINGS,
J. BENNETT JOHNSTON,
QUENTIN N. BURDICK.

PATRICK J. LEAHY,
JIM SASSER,
DALE BUMPERS,
FRANK R. LAUTENBERG,
TOM HARKIN,
BARBARA A. MIKULSKI,
HARRY REID,
BROCK ADAMS,
WYCHE FOWLER, Jr.,
J. ROBERT KERREY,
MARK O. HATFIELD,
TED STEVENS,
THAD COCHRAN,
ROBERT W. KASTEN, Jr.,
ALFONSE M. D'AMATO,
ARLEN SPECTER,
CHRISTOPHER S. BOND,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two houses on the amendments of the Senate to the bill (H.R. 5132) making dire emergency supplemental appropriations for disaster assistance to meet urgent needs because of calamities such as those which occurred in Los Angeles and Chicago, for the fiscal year ending September 30, 1992, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effects of the action agreed upon by the managers and recommended in the accompanying conference report.

Report language included by the House in House Report 102-518 which is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein.

Amendment No. 1: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

DISASTER LOANS PROGRAM ACCOUNT

For an additional amount for the cost of direct loans, \$169,650,000, to remain available until expended, of which \$50,895,000 shall be available only to the extent that a Presidential designation of a specific dollar amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985 is transmitted to the Congress, to subsidize additional gross obligations for the principal amount of direct loans not to exceed \$500,000,000, and in addition, for administrative expenses to carry out the disaster loan program, an additional \$25,000,000, to remain available until expended, which may be transferred to and merged with appropriations for "Salaries and expenses": Provided, That Congress hereby designates these amounts as emergency requirements for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

BUSINESS LOANS PROGRAM ACCOUNT

For an additional amount for the cost of section 7(a) guaranteed loans (15 U.S.C. 636(a)), \$70,325,000, to remain available until expended, and in addition, for administrative expenses to carry out the business loan program, an additional \$2,000,000, to remain available until expended, which may be transferred to and merged with appropriations for "Salaries and expenses": Provided, That these funds shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency require-

ment as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted to the Congress: Provided further, That Congress hereby designates these amounts as emergency requirements for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

In addition, for the cost of direct loans authorized under the Microloan Demonstration Program (15 U.S.C. 636(m)), \$5,000,000, to remain available until expended, and in addition, for grants in conjunction with such direct loans, \$4,000,000, to remain available until expended and to be merged with appropriations for "Salaries and expenses": Provided, That Congress hereby designates these amounts as emergency requirements for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

SMALL BUSINESS DEVELOPMENT CENTER REGULATIONS

Not later than 90 days after the effective date of this Act, the Small Business Administration shall prepare, formulate, and submit to the Committees on Small Business and to the Committees on Appropriations of the U.S. Senate and the House of Representatives, but not publish in the Federal Register, proposed rules for the Small Business Development Center program authorized by section 21 of the Small Business Act as amended (15 U.S.C. 648).

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

DISASTER LOANS PROGRAM ACCOUNT

The conference agreement provides a emergency appropriation totalling \$194,650,000 for the Disaster Loans Program Account under the Small Business Administration. This amount includes \$169,650,000 to subsidize an additional \$500,000,000 in direct disaster assistance loans, of which \$50,895,000 (subsidizing \$150,000,000 in direct loans) is available only to the extent that the President designates a specific amount as an emergency requirement and transmits such a requirement to the Congress, thus creating, in effect, a "contingency fund" for the disaster assistance program. The remaining \$25,000,000 is for administrative expenses associated with the Disaster Loan Program. The House bill included a total of \$194,650,000 for this program, but designated \$58,895,000 in subsidy amount for the "contingency fund". The Senate amendment provided only a total of \$118,755,000, eliminating the contingency fund and reducing the amount of administrative expenses to \$20,000,000.

BUSINESS LOANS PROGRAM ACCOUNT

The conference agreement also provides a total of \$81,325,000 for the Business Loan Program Account, of which \$72,325,000 is designated as a Presidential and Congressional emergency appropriation. This amount includes \$70,325,000 to subsidize an estimated additional \$1,450,000,000 in additional 7(a) general business lending authority. An additional \$2,000,000 is provided for administrative expenses associated with the general business loan program. The conference agreement provides that these funds will be available only to the extent an official budget request that includes designation of the request as an emergency requirement under the Balanced Budget and Emergency Deficit Control Act of 1985 is transmitted to the Congress.

The conference agreement also includes a total of \$9,000,000 for the Microloan Demonstration Program, designated as a Congressional emergency only. This amount includes \$5,000,000 to subsidize an additional \$26,000,000 in direct loans under the

Microloan program. The remaining \$4,000,000 is provided for technical assistance grants associated with this program.

The Senate amendment included a total of \$55,895,000 for the Business Loans Program Account, designated as a Presidential and Congressional emergency appropriation, as follows: \$46,895,000 to subsidize an additional \$966,000,000 in general business lending authority, \$5,000,000 for subsidy cost for the Microloan Demonstration program, and \$4,000,000 for technical assistance grants associated with that program. All of these funds would have been available only to the extent that an official budget request that designated the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985 was transmitted to the Congress. The House bill contained no similar provision.

SMALL BUSINESS DEVELOPMENT CENTER REGULATIONS

The conference agreement also includes an administrative provision directing the Small Business Administration to develop and submit to Congress proposed regulations for the Small Business Development Center program within 90 days. Neither the House nor Senate bill contained any similar provision.

Amendment No. 2: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter insert by said amendment, insert the following:

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION TRAINING AND EMPLOYMENT SERVICES

For an additional amount for "Training and Employment Services", \$675,000,000, to be available for obligation for the period July 1, 1991, through June 30, 1992, to carry out part B of title II of the Job Training Partnership Act: Provided, That notice of eligibility of funds shall be given by June 15, 1992: Provided further, That the Secretary, to the extent practicable consistent with the preceding proviso, shall utilize the 1990 census data in allocating the funds appropriated herein: Provided further, That these funds shall be available only if an official budget request for the entire amount appropriated herein that includes a Presidential designation of the entire amount of that request as an emergency requirement for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted to the Congress: Provided further, That Congress hereby designates these amounts as emergency requirements for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES HUMAN DEVELOPMENT SERVICES

For an additional amount for "Human Development Services", \$250,000,000, to carry out the Head Start Act, which shall be made available to Head Start agencies operating Head Start programs on the date of the enactment of this Act, for the purposes of assisting the agencies to provide, during the summer months, Head Start services, including services through family literacy projects: Provided, That for the purpose of this Act, no part of any amount appropriated under this Act or any other provision of Federal law shall be used to enforce the limitation specified in section 640(b) of such Act with respect to such amounts: Provided further, That notice of eligibility of funds shall be given by June 15, 1992: Provided further, That Congress hereby

designates these amounts as emergency requirements for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF EDUCATION

COMPENSATORY EDUCATION FOR THE DISADVANTAGED

For an additional amount for "Compensatory Education for the Disadvantaged", \$250,000,000, to carry out programs and projects under section 1005 during the summer months that meet the educational needs of educationally deprived children identified in accordance with section 1014 of the Elementary and Secondary Education Act of 1965, including programs and projects related to arts and drama, academic subjects, literacy, community services, recreation, conflict management, and dropout prevention: Provided, That Congress hereby designates these amounts as emergency requirements for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

EMERGENCY "WEED AND SEED" PROGRAM FUND

For necessary expenses to implement "Weed and Seed" program activities, \$250,000,000, to remain available until expended for intergovernmental agreements, including cooperative agreements and contracts, with state and local law enforcement agencies engaged in the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the "Weed and Seed" program strategy: Provided, That the Attorney General with the cooperation of the Secretaries of Labor, Education, Health and Human Services, Transportation, Agriculture and Housing and Urban Development and the Director of the Office of National Drug Control Policy shall implement the "Weed and Seed" program by providing local communities funds, through intergovernmental agreements or contracts, technical assistance and related information to coordinate new or existing public and private neighborhood revitalization programs: Provided further, That any amounts obligated from appropriations under this heading may be used under the authorities available to the organizations receiving reimbursements or transfers from this appropriation: Provided further, That Congress hereby designates these amounts as emergency requirements for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Committees on Appropriations of the House and Senate shall be provided quarterly reports on the obligation and expenditure of the funds appropriated under this heading.

GENERAL PROVISION

AVAILABILITY OF FUNDS

None of the funds in this Act under the heads "Emergency 'Weed and Seed' Program Fund", "Administration for Children and Families, Human Development Services", and "Compensatory Education for the Disadvantaged" shall be available for obligation unless and until: (1) the President submits to the Congress an official budget request under authority to section 1107 of Title 31, United States Code for the entire amounts appropriated in this Act under these heads; and (2) the President designates in that budget request the entire amount of the request as an emergency requirement for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF THE TREASURY

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$1,500,000 for law enforcement training activities of the Center, to remain available until expended.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$5,500,000 for the hiring, training and equipping of additional full-time equivalent positions for violent crime task forces and for increased costs associated with the Los Angeles riot, to remain available until expended.

UNITED STATES CUSTOMS SERVICE OPERATION AND MAINTENANCE, AIR AND MARINE INTERDICTION PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Law 102-141, \$3,400,000 are rescinded.

UNITED STATES MINT

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 102-141, \$500,000 are rescinded.

BUREAU OF THE PUBLIC DEBT

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 102-141, \$800,000 are rescinded.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 102-141, \$1,765,000 are rescinded.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 102-141, \$1,000,000 are rescinded.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

DEPARTMENT OF LABOR

SUMMER YOUTH EMPLOYMENT

The conference agreement includes \$675,000,000 for the summer youth employment program under the Job Training Partnership Act as proposed by the Senate but modifies the Senate language to provide that the funds will be allocated under the current law formula contained in the Job Training Partnership Act. This appropriation provides emergency funds to finance summer jobs for disadvantaged youth. The availability of these funds is conditional on the declaration of an emergency by the President under the Budget Enforcement Act. The House bill included no appropriation for this program.

The conferees encourage the involvement of JTPA participants in youth corps programs which foster citizenship skills whether or not the other youth corps members are funded under JTPA. In particular, the conferees encourage linkages of the JTPA with youth corps program where citizenship skills are a central feature of the program, such as those programs authorized by the National and Community Service Act.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEAD START

The conference agreement includes \$250,000,000 for the Head Start program as proposed by the Senate. This provides emergency funds to finance summer Head Start programs to serve disadvantaged youth. Local matching funds shall not be required under this emergency program. The availability of these funds is conditional on the declaration of an emergency by the President under the Budget Enforcement Act and subject to the conditions of the general provision included in this amendment. The House bill included no appropriation for this program.

COMPENSATORY EDUCATION FOR THE DISADVANTAGED

The conference agreement appropriates \$250,000,000 for chapter I compensatory education services as proposed by the Senate but modifies the Senate language to provide that these funds will be allocated under section 1005 of the Elementary and Secondary Education Act, as amended. This agreement provides emergency funds to finance summer programs to serve disadvantaged youth. The availability of these funds is conditional on the declaration of an emergency by the President and is subject to the conditions of the general provision included in this amendment. The House bill included no similar provision.

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

EMERGENCY "WEED AND SEED" PROGRAM FUND

The conference agreement includes the language proposed in the Senate amendment to provide \$250,000,000 for the "Weed and Seed" program. The House bill included no such language.

The Weed and Seed program is a new initiative whose goal is to reclaim high crime areas across the country, and make them safe places to live and work. The program first "Weeds" the community of violent criminals and activity through innovative law enforcement initiatives. The "Weeding" is to be accompanied by "Seeding" in the form of a broad array of existing and new social, economic and recreational programs designed to revitalize the community.

This comprehensive, multi-agency approach is a joint effort at the local level between Federal, State and local law enforcement and social service agencies, and community and church groups. Funding needs will be established at the local level and forwarded to the Justice Department. The Attorney General is responsible for approving these proposals, with the concurrence of other affected Federal agencies. The Attorney General will transfer required amounts to those agencies with authority to make the requested grants to the communities.

The availability of these funds is conditional on the declaration of an emergency by the President under the Budget Enforcement Act and subject to the conditions of the general provision included in this amendment.

GENERAL PROVISION

The conference agreement includes a general provision making the availability of funds for Compensatory Education, Head Start, and "Weed and Seed" activities contingent on the President submitting a budget request for the entire \$750 million appropriated for these activities and contingent on the designation by the President of the entire amount as an emergency under the Budget Enforcement Act.

DEPARTMENT OF THE TREASURY AND EXECUTIVE OFFICE OF THE PRESIDENT

This management also appropriates \$1,500,000 for the Federal Law Enforcement Training Center and \$5,500,000 to the Bureau of Alcohol, Tobacco and Firearms. It rescinds \$3,400,000 from Operation and Maintenance, Air and Marine Interdiction Programs, U.S. Customs Service, \$500,000 from the U.S. Mint, \$800,000 from the Bureau of Public Debt, \$1,765,000 from the U.S. Secret Service and \$1,000,000 from the Office of National Drug Control Policy in the Executive Office of the President.

COMMISSION ON NATIONAL AND COMMUNITY SERVICE

The conference agreement deletes the portion of the Senate amendment adding \$25,000,000 for the Commission on National and Community Service's American Conservation and Youth Services Corps.

The conferees have reluctantly agreed to delete the proposed Senate provision out of concern for the sustainability of the Youth Conservation program at the amended level in fiscal year 1993. The conferees do believe that national and community service programs can play a vital part in revitalizing distressed urban areas. As a result, every practicable effort will be made to augment these programs in the fiscal year 1993 appropriations process.

DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION

For fiscal years 1992 and 1993, funds provided under section 9 of the Federal Transit Act shall be exempt from requirements for any non-Federal share, in the same manner as specified in section 1054 of Public Law 102-240.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement applies the match-waiver provisions provided in Sec. 1054 of Public Law 102-240 to the Federal Transit Administration's section 9 formula grant program for FY 1992 and FY 1993.

GENERAL PROVISIONS

Amendment No. 4: Inserts heading as proposed by the Senate.

Amendment No. 5: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which revises section 125 of title 23, United States Code, to allow Emergency Relief funds to be used on all roads classified as local or rural minor collector. The House bill contained no similar provision.

Amendment No. 6: Deletes language proposed by the Senate restoring \$369,000,000 in obligational authority for fiscal year 1992 that was reduced by section 1004 of the Intermodal Surface Transportation Efficiency Act of 1991. The Senate amendment also eliminates obligational authority provided by section 1095 of the Intermodal Surface Transportation Efficiency Act of 1991 by making such funds subject to appropriations.

RURAL AGRICULTURAL DISASTERS

Amendment No. 7: Reported in technical disagreement. The managers on the part of

the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number "103" insert:

102 The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement adds language proposed by the Senate which states that it is the "Sense of the Congress" that the President should exercise the authority granted to him in Public Law 102-229 and designate the \$755,000,000 appropriated in that Act as an emergency requirement for agricultural disasters during the 1990 through 1992 crop years; and that the President should exercise the authority referred to in that Act to make emergency designations for rural agricultural disasters, as well as the urban disasters in Chicago and Los Angeles.

Amendment No. 8: Deletes language proposed by the Senate expressing a sense of the Senate with respect to Federal enterprise zones. The conferees have deleted this language without prejudice and expect that this issue of enterprise zones will be addressed in another bill.

Amendment No. 9: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number "105", insert:

103 The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The Senate amendment corrects section 115 of title 23 to reflect the repeal of the primary, secondary and urban systems and associated programs. The Senate amendment also provides a technical correction to include the Surface Transportation Program under the advanced construction provision. The House bill contained no similar provision.

Amendment No. 10: Deletes language expressing the sense of the Senate that the Department of Education distribute chapter I compensatory education funds using 1990 census data. The House bill included no similar provision.

Amendment No. 11: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the section number "107", insert:

104 The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The Senate amendment defines, for outdoor advertising purposes, funding "availability" under the federal-aid highway program to apply only when a state expends federal-aid funds to acquire outdoor advertising signs. The effect of the Senate amendment is to make such expenditures entirely discretionary on the part of the state and to remove the risk of losing apportioned Federal-aid funds for failure to maintain effective control of billboard removal. The House bill contained no similar provision.

Amendment No. 12: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

SEC. 105. (a) None of the funds made available in this Act may be used to provide any grant,

loan, or other assistance to any person who is convicted of committing a riot-related crime of violence in the City or County of Los Angeles, California, during the period of unrest occurring April 29 through May 9, 1992.

(b) None of the funds made available in this Act may be used to provide any grant, loan, or other assistance to any person who—

(1) is under arrest for, or
(2) is subject to a pending charge of, committing a riot-related crime of violence in the City or County of Los Angeles, California, during the period of unrest occurring April 29 through May 9, 1992: Provided, That the prohibition on the use of funds in (b) shall not apply if a period of 90 days or more has elapsed from the date of such person being arrested for or charged with such crime: Provided further, That should such person be convicted of a riot-related crime of violence cited in (a) and (b), such person shall provide to the agency or agencies which provided such assistance, payments equivalent to the amount of assistance provided.

(c) All appropriate Federal agencies shall take the necessary actions to carry out the provisions of this section.

(d) APPLICANT CERTIFICATION. Any applicant for aid provided under this Act shall certify to the Federal agency providing such aid that the applicant is not a person described in subsection (a) or acting on behalf of such person.

(e) DEFINITION. For purposes of this section, the term "riot-related crime of violence" means any State or Federal offense as defined in Section 16 of title 18, United States Code.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement adds Sec. 105 to the Act. Sec. 105(a) prohibits the use of any of the funds made available in this Act for grants, loans or other assistance to any person who is convicted of committing a riot-related crime in Los Angeles between April 29 through May 9, 1992.

SEC. 105(b) prohibits the use of any of the funds or assistance provided in this Act to any person who is under arrest or is subject to a pending charge of committing a riot-related crime of violence in Los Angeles between April 29 through May 9, 1992, but provides that this prohibition shall not apply if a period of 90 days or more has elapsed from the date of such person being arrested for or charged with such crime. Sec. 105(b) also provides that should such person be convicted of a riot-related crime of violence cited in Sec. 105 (a) and (b), such person shall provide to the agency or agencies which provided such assistance, payments equivalent to the amount of assistance provided.

SEC. 105(c) requires all appropriate Federal agencies to take the necessary actions to carry out the provisions of this section.

SEC. 105(d) requires applicants for aid provided under the Act to certify to the Federal agency providing such aid that the applicant is not a person described in Sec. 105(a) or acting on behalf of such person.

SEC. 105(e) defines the term "riot-related crime of violence" as stated in Section 16 of title 18, United States Code.

The Senate amendment would have added language which would have prohibited the use of any of the funds made available in this Act for grants, loans or other assistance to any person who is: (1) under arrest for; (2) subject to a pending charge of committing; or (3) convicted of committing a riot-related crime in Los Angeles between April 29 through May 9, 1992. The Senate amendment also included the provisions of Sec. 105 (c) and (d) of the conference agreement and a definition of "riot-related crime" as any

Federal or State offense committed in connection with rioting, including murder, arson, looting, theft, assault and vandalism. The House bill contained no provision on this matter.

HUMANITARIAN ASSISTANCE TO BOSNIA-HERCEGOVINA

Amendment No. 13: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

SEC. 106. HUMANITARIAN ASSISTANCE TO BOSNIA-HERCEGOVINA.

Notwithstanding any other provision of law, up to \$5,000,000 of the funds made available for foreign operations, export financing, and related programs in Public Law 102-145, as amended by Public Laws 102-163 and 102-266, and previous Acts making appropriations for foreign operations, export financing, and related programs, shall be made available for humanitarian assistance to Bosnia-Herzegovina: Provided, That such assistance may only be made available through private voluntary organizations, the United Nations and other international and non-governmental organizations: Provided further, That funds made available under this paragraph shall be made available only through the regular notification procedures of the Committee on Appropriations.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes language permitting up to \$5,000,000 in humanitarian assistance to be provided to Bosnia-Herzegovina. The assistance is to be provided through private voluntary organizations, the United Nations and other international and non-governmental organizations. Funding made available through this provision is to be notified through the regular notification procedures of the Committee on Appropriations.

Amendment No. 14: Technical amendment. Strikes and reinserts the bill citation at the conclusion of the bill as proposed by the Senate. The citation is identical to the House version.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1992 recommended by the Committee of Conference, with comparisons to the budget estimates, and the House and Senate bills follow:

Budget estimates of new (obligational) authority, fiscal year 1992	
House bill	\$494,650,000
Senate bill	1,944,185,000
Conference agreement	2,000,510,000
Conference agreement compared with:	
Budget estimates of new (obligational) authority	+2,000,510,000
House bill	+1,505,860,000
Senate bill	+56,325,000

JAMIE L. WHITTEN,
WILLIAM H. NATCHER,
NEAL SMITH,
SIDNEY R. YATES,
EDWARD R. ROYBAL,
TOM BEVILL,
JOHN P. MURTHA,
BOB TRAXLER,
WILLIAM LEHMAN,
JULIAN C. DIXON,
VIC FAZIO.

Managers on the Part of the House.

ROBERT C. BYRD,
DANIEL K. INOUE,
ERNEST F. HOLLINGS,
J. BENNETT JOHNSTON,
QUENTIN N. BURDICK,
PATRICK J. LEAHY,
JIM SASSER,
DALE BUMPERS,
FRANK R. LAUTENBERG,
TOM HARKIN,
BARBARA A. MIKULSKI,
HARRY REID,
BROCK ADAMS,
WYCHE FOWLER, Jr.,
J. ROBERT KERREY,
MARK O. HATFIELD,
TED STEVENS,
THAD COCHRAN,
ROBERT W. KASTEN, Jr.,
ALFONSE M. D'AMATO,
ARLEN SPECTER,
CHRISTOPHER S. BOND.

Managers on the Part of the Senate.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT AND AMENDMENTS REPORTED FROM CONFERENCE IN DISAGREEMENT ON H.R. 5132, DIRE EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1992, FOR DISASTER ASSISTANCE TO MEET URGENT NEEDS BECAUSE OF CALAMITIES SUCH AS THOSE WHICH OCCURRED IN LOS ANGELES AND CHICAGO

Mr. BEILENSEN, from the Committee on Rules, submitted a privileged report (Rept. No. 102-578) on the resolution (H. Res. 491) providing for consideration of the conference report and amendments reported from conference in disagreement on the bill (H.R. 5123) making dire emergency supplemental appropriations for disaster assistance to meet urgent needs because of calamities such as those which occurred in Los Angeles, and Chicago, for the fiscal year ending September 30, 1992, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT REGARDING SUBMISSION OF AMENDMENTS ON THE LEGISLATIVE BRANCH APPROPRIATIONS ACT AND FOREIGN OPERATIONS APPROPRIATIONS ACT FOR FISCAL YEAR 1993

(Mr. BEILENSEN asked and was given permission to address the House for 1 minute.)

Mr. BEILENSEN. Mr. Speaker, the Rules Committee is scheduled to meet Monday, June 22, 1992, to grant a rule for the Legislative Branch Appropriations Act, and on Tuesday, June 23, 1992 for the Foreign Operations Appropriations Act. Requests may be made for structured rules on these bills. The committee has circulated two "Dear Colleague" letters that request all amendments to the bills be submitted

to the Rules Committee no later than 12 noon, on Monday, June 22, 1992, for legislative branch and 5 p.m. Monday for foreign operations.

In order to ensure Members' rights to offer amendments under the rules that may be requested, they should submit those amendments, together with a brief explanation of the amendment, to the committee office at H-312, the Capitol.

A draft of the bills and reports will be available immediately following the Appropriations Committee markup on Thursday. The Office of Legislative Counsel will also have copies of the bills.

To repeat, amendments to the legislative branch appropriations bill should be submitted by Monday at noon, and amendments to foreign operations should be submitted by 5 p.m. Monday.

PROVIDING FOR CONSIDERATION OF H.R. 5099, CENTRAL VALLEY PROJECT IMPROVEMENT ACT

Mr. BEILENSEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 486 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 486

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5099) to provide for the restoration of fish and wildlife and their habitat in the Central Valley of California, and for other purposes, and the first reading of the bill shall be dispensed with. All points of order against consideration of the bill for failure to comply with the provisions of clause 2(1)(6) of rule XI are hereby waived. After general debate, which shall be confined to the bill and the amendments made in order by this resolution and which shall not exceed sixty minutes, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, each section shall be considered as having been read, and all points of order against said substitute are hereby waived. It shall be in order to consider en bloc the amendments numbered 1 printed in the report of the Committee on Rules accompanying this resolution, and said amendments en bloc shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments numbered 2 and 3 printed in the report of the Committee on Rules for failure to comply with the provisions of clause 7 of rule XVI are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the

House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. After passage of H.R. 5099, it shall be in order to consider a motion to take from the Speaker's table the bill (H.R. 429) to authorize additional appropriations for the construction of the Buffalo Bill Dam and Reservoir, Shoshone Project, Pick-Sloan Missouri Basin Program, Wyoming, with the Senate amendment thereto, and to concur in the Senate amendment with an amendment consisting of the text of the bills H.R. 429 and H.R. 5099 as passed by the House. The House amendment to the Senate amendment and the Senate amendment shall be considered as having been read. The previous question shall be considered as ordered on the motion to final adoption without intervening motion. All points of order against the motion are hereby waived.

SEC. 3. Following adoption of the motion made in order by section 2 of this resolution, it shall be in order to move that the House insist on the House amendment to the Senate amendment to H.R. 429, and to request a conference with the Senate thereon.

The SPEAKER pro tempore (Mr. JEFFERSON). The gentleman from California [Mr. BEILENSEN] is recognized for 1 hour.

Mr. BEILENSEN. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. DREIER], pending which I yield myself such time as I may consume.

During consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, House Resolution 486 is the rule providing for consideration of H.R. 5099, the Central Valley Project Reform Act. This is an open rule providing 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Interior and Insular Affairs Committee.

The resolution waives clause 2(L)(6) of rule XI against consideration of H.R. 5099. Clause 2(L)(6) requires that printed copies of the report accompanying a bill be available for at least 3 days prior to the bill's consideration.

It makes in order the Interior committee amendment in the nature of a substitute now printed in the bill as the original text for the purpose of amendment. All points of order against the substitute are waived.

Mr. Speaker, the Committee on Merchant Marine and Fisheries to which the bill was referred, did not request general debate time. Several amendments to the bill to be offered en bloc by the chairman, Mr. JONES, were made in order and are printed in the report to accompany the rule. The en bloc amendments are not subject to a demand for a division of the question.

The rule also waives clause 7 of rule XVI, the germaneness rule, against two amendments, one to be offered by Mr. RHODES and the other by Mr. THOMAS of Wyoming. The rule provides one motion to recommit with or without instructions.

Finally, following passage of H.R. 5099, the rule makes in order a motion to take from the Speaker's table H.R. 429, with the Senate amendment, and to concur with an amendment consisting of the text of H.R. 429, the reclamation project and policy bill approved by the House last year, and H.R. 5099 as passed by the House. All points of order against the motion are waived.

If the motion to concur with the amendment is adopted, the rule makes in order a motion to insist on the House amendment and to request a conference. The Interior Committee requested this procedure so that Congress might reach a resolution of water-related concerns in an orderly fashion.

Mr. Speaker, H.R. 5099 is the result of decades of concern that the Central Valley project in California has operated with a disregard for the economy and the environment. I commend the gentleman from California [Mr. MILLER] for his patient work in developing H.R. 5099 to help bring about an end to this history of abuse.

The bill seeks to protect, restore, and enhance fish and wildlife and their habitats in the Central Valley Basin of California; it attempts to improve the operational flexibility of the CVP; and it expands the use of voluntary water transfers and water conservation, which are so direly needed in our State of California.

Mr. Speaker, to repeat, House Resolution 486 is an open rule. I urge the adoption of the resolution so that we may proceed with the consideration of H.R. 5099.

□ 2250

Mr. Speaker, I reserve the balance of my time.

Mr. DREIER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like at this time to applaud the very distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from California [Mr. MILLER], who I am happy to see is here in the Chamber, along with our colleague, the gentleman from Alaska [Mr. YOUNG], the ranking member of the committee, for requesting something that is very unusual, an open rule. I congratulate them for that.

Mr. Speaker, I also want to commend them for their efforts to find a reasonable compromise on the very contentious issue of water resource management in a State where water is a scarce commodity. I support the rule, Mr. Speaker, but I do have some concerns about the bill.

I agree that there needs to be a better balance between rural, urban, and environmental interests.

The most recent drought in California has sensitized all of us to the need to maintain firm water supplies for a growing population and to ensure the survival of threatened species. We also need to take a closer look at Federal subsidies to farmers to ensure that the benefits to our economy outweigh the costs.

Likewise, Mr. Speaker, a similar cost-benefit analysis is needed with H.R. 5099. In my view, it is a regulatory handcuff that will make it more difficult for the State of California to allocate water resources to their most urgent needs.

There is also a legitimate concern that this legislation could further exacerbate the current economic downturn being experienced in California. With the loss of thousands of jobs in the defense and aerospace industries, we need to be careful that we do not also undermine the farm economy.

For example, Mr. Speaker, I recently received a letter from a farm family in the Central Valley, and in it they state:

During the last 6 years, California has suffered an extreme drought, but if H.R. 5099, or similar water allocations are mandated, permanent drought will be legislated to CVP users.

It is my hope that, as this process moves forward, Mr. Speaker, necessary accommodations can be made to insure that the Department of Interior and Insular Affairs and the Governor of California have the necessary flexibility and authority to balance competing water allocation needs.

We can make one such accommodation by adopting the Herger amendment to ensure that the management of the Central Valley project reflects the importance of public recreation to the people of northern California.

Mr. Speaker, the administration has outlined a number of additional concerns, and I submit for the RECORD the Statement of Administration Policy regarding H.R. 5099.

OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, June 17, 1992.

STATEMENT OF ADMINISTRATION POLICY
(H.R. 5099—Central Valley Project Reform Act—Miller of California and 27 others)

The Administration believes that the increasingly difficult challenge of meeting California's water needs requires maximum operational flexibility for the Central Valley Project. Enactment of H.R. 5099, however, would impose additional constraints on project operations. The Secretary of the Interior and the Secretary of Agriculture, therefore, would recommend that the President veto H.R. 5099, because the bill would:

Provide for a number of expensive measures, many of which have not been subjected to feasibility analyses and would be financed largely at Federal expense;

Affect the State's authority in matters of water allocation, distribution, and use;

Affect various on-going cooperative efforts to help balance the competing use of water in California;

Impose fees on voluntary water transfers, which could discourage the use of such transfers;

Preclude the Secretary of the Interior from providing temporary water supplies to cities during times of drought; and

Divert project revenues to a special fish and wildlife restoration fund.

The Administration supports some of the concepts embodied in H.R. 5099, as reported by the Committee on Interior and Insular Affairs. These include certain fish and wildlife mitigation efforts, water management activities, and the potential transfer of the Central Valley Project to non-Federal ownership. The Administration appreciates the Committee's apparent support for the possible transfer of the Central Valley Project. However, specific provisions contained in the bill could interfere with this transfer.

Finally, if H.R. 5099 is incorporated into House-passed version of H.R. 429, the "Reclamation Projects Authorization and Adjustment Act of 1992", the Secretary of the Interior would recommend that the President veto H.R. 429.

SCORING FOR THE PURPOSE OF PAYGO AND DISCRETIONARY CAPS

H.R. 5099 would increase Federal receipts; therefore, it is subject to the pay-as-you-go requirement of the Omnibus Budget Reconciliation Act of 1990 (OBRA). If H.R. 5099 were enacted, final OMB scoring estimates would be published within 5 days of enactment, as required by OBRA. The cumulative effects of all enacted legislation on direct spending will be issued in monthly reports transmitted to Congress.

Mr. Speaker, I urge support for the rule and reserve the balance of my time.

Mr. BEILENSEN. Mr. Speaker, we have no requests for time over here, and I would inquire of the gentleman from California if he has any requests for time.

Mr. DREIER of California. Mr. Speaker, while we normally have a long line of members who request time on this side, believe it or not, at 10:55 p.m., no requests for time have been received, and I am happy to, in light of that, yield back the balance of my time and urge support of the rule.

Mr. BEILENSEN. Mr. Speaker, I too yield back the balance of my time and move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. JEFFERSON). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

JOBS THROUGH EXPORTS ACT OF 1992

Mr. BEILENSEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 489 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 489

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the

House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 4996) to extend the authorities of the Overseas Private Investment Corporation, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill for failure to comply with sections 302(f) and 402(a) of the Congressional Budget Act of 1974 are waived. After general debate, which shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Foreign Affairs now printed in the bill. The committee amendment in the nature of a substitute shall be considered by title rather than by section. Each title shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. Other than pro forma amendments for the purpose of debate and the amendment printed in the report of the Committee on Rules accompanying this resolution, no amendment to the committee amendment in the nature of a substitute shall be in order unless printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII prior to the beginning of consideration of the bill for amendment. It shall be in order to consider the amendment printed in the report of the Committee on Rules accompanying this resolution if offered by Representative Bereuter of Nebraska or his designee. Such amendment shall be considered as read and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendment are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. House Resolution 483 is hereby laid on the table.

The SPEAKER pro tempore. The gentleman from California [Mr. BEILENSEN] is recognized for 1 hour.

Mr. BEILENSEN. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. DREIER] pending which I yield myself such time as I may consume.

Mr. Speaker, during consideration of this resolution, all time yielded is for the purposes of debate only.

House Resolution 489 is the second rule that the Committee on Rules has granted for the consideration of H.R. 4996, the Jobs Through Exports Act of 1992, but the only one that has been sent to the House for consideration.

The rule provides 1 hour of general debate to be equally divided and con-

trolled by the chairman and ranking minority member of the Committee on Foreign Affairs.

It waives all points of order against consideration of the bill for failure to comply with two sections of the Congressional Budget Act; section 302(f), regarding direct spending, and 402(a), prohibiting consideration of certain new credit authority. The necessity for the 302(f) waiver, which did not come to our attention until after the committee had approved the first rule for H.R. 4996, required the granting of this second resolution, which tables the initial rule, House Resolution 483.

I should point out, Mr. Speaker, that these waivers were provided with the understanding that the floor manager for H.R. 4996 would offer an amendment deleting the provision which required the waivers or develop alternative language as a floor amendment so that the provision in question would not violate the Budget Act. The Rules Committee, recognizing that these waivers were necessary in order to bring the bill to the floor in a timely manner, agreed to this procedure.

Mr. Speaker, House Resolution 489 also makes in order the Foreign Affairs Committee amendment in the nature of a substitute now printed in the bill as original text for the purpose of amendment. All points of order against the committee amendment in the nature of a substitute are waived.

The rule requires all amendments to be printed in the CONGRESSIONAL RECORD prior to beginning consideration of the bill for amendment. It further waives all points of order against an amendment by Mr. BEREUTER, which is printed in the report to accompany the rule. The Bereuter amendment is not subject to a demand for a division of the question.

Finally, Mr. Speaker, the resolution provides one motion to recommit with or without instructions.

Mr. Speaker, H.R. 4996 reauthorizes the operations of the Overseas Private Investment Corporation and the Trade and Development Agency, provides grants for capital projects using U.S. goods and services, and creates a partnership between the U.S. private and public sectors to pursue export markets. The chairman and ranking minority member of the International Economic Policy Subcommittee that developed H.R. 4996 testified that the objective of the bill is to create American jobs through increased exports.

Mr. Speaker, to repeat, House Resolution 489 is a modified open rule. I urge its adoption so that we may proceed with the consideration of H.R. 4996.

□ 2300

Mr. Speaker, I reserve the balance of my time.

Mr. DREIER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I reluctantly support this rule and my reluctance is due to the requirement that only those amendments printed in the CONGRESSIONAL RECORD will be made in order. Obviously, the rule does not preclude the offering of amendments, and I applaud the gentleman from Florida [Mr. FASCELL] and the esteemed ranking Republican member, the gentleman from Michigan [Mr. BROOMFIELD], for not requesting what would clearly be a totally closed rule.

But one has to wonder why it has become so difficult for my friends on the other side of the aisle to allow simple open rules.

In fact, I sometimes wonder why my friend, the gentleman from California [Mr. BEILENSEN] just said "open rule" in the last one we considered. It seems that many have a difficult time on that side to even utter the words "open rule." It is almost like the macho guy who cannot say the words "I love you." But we are happy that some are saying now that we will occasionally have an open rule.

I do support this rule, Mr. Speaker, and I want to congratulate my colleagues on the Committee on Foreign Affairs for producing what is clearly a good bipartisan bill to help create jobs for Americans by promoting U.S. exports abroad. H.R. 4996 will help to expand emerging markets in Eastern Europe, the former Soviet Union, and across the globe, and the gentleman from California [Mr. BEILENSEN] and I represent a State which is clearly the gateway to the Pacific rim. So, we are enthusiastic about the prospect of creating jobs that will see exports increase.

This is the kind of foreign aid that our Nation clearly can afford. Rather than pumping millions of dollars in direct Government aid into failed bureaucracies, private investment in Eastern Europe and the former Soviet Union will help these countries to build thriving free market systems, and we were all fortunate to hear the statements made by President Yeltsin this morning.

We can further improve the bill by supporting the Bereuter amendment to stimulate economic growth in Latin America and open up new markets for U.S. exports, and I would say I am happy that the gentleman from Nebraska [Mr. BEREUTER], my good friend and former member of the Committee on Banking, Finance and Urban Affairs is here.

The one reservation I do have with this bill, Mr. Speaker, is that it reauthorizes OPIC, the Overseas Private Investment Corporation, for 3 years, rather than the 5 years the President requested. Some have argued that a 3-year reauthorization would make OPIC less susceptible to the political whims of the Presidential election-year cycle. I happen to believe just the opposite is

the case, and I think we should reauthorize it for 5 years.

If Members on both sides of the aisle can agree that OPIC's mission is a good one, we should also agree to give OPIC the freedom to make long-term plans without the constant interference of Congress.

The Administration's policy statement follows:

The Administration would support H.R. 4996, the Jobs Through Exports Act of 1992, if the following provisions are deleted or modified:

Title III, which establishes an Office of Capital Projects in the Agency for International Development (AID), requires numerous new reports of excessively broad scope, and imposes restrictions on the sources of funding for financing capital projects. These provisions are unnecessary and place burdensome restrictions on the management of AID programs.

Title IV, which requires the Secretary of Commerce to establish U.S. commercial centers in designated countries. This requirement unnecessarily micromanages Commerce's U.S. and Foreign Commercial Service.

Several constitutionally questionable provisions, which pose problems under the Appointments Clause or infringe upon the President's foreign affairs powers. (Sections 232(c)(2) (D) and (E), and 234(c)(4) of the Foreign Assistance Act, as amended in section 105; and sections 305 and 401.)

Authorization of appropriations in excess of the President's request for the Trade and Development Program and the Overseas Private Investment Corporation (OPIC). If these increased levels are appropriated, undesirable cuts would be required in other essential foreign assistance programs.

The Administration strongly opposes the amendments to be offered by Representative Andrews (NJ), which would abolish OPIC or restrict its ability to mobilize the U.S. private sector in support of American job creation and other national interests. The Administration believes OPIC is an important element of the Support for Eastern European Democracy (SEED) program, the Enterprise for the Americas Initiative (EAI), and other bipartisan foreign policy initiatives, including assistance to the former Soviet Union.

The Administration urges that H.R. 4996 be amended to reauthorize OPIC for 5 years. The 3 year reauthorization included in H.R. 4996 would severely handicap development of long-term investment strategies by U.S. businesses, particularly in the former Soviet Union. Further, it would limit OPIC's ability to plan and manage its investment portfolio on a long-term strategic basis.

The Administration strongly supports adoption of the amendment to be offered by Representative Bereuter, providing needed authorization for the Enterprise for the Americas Initiative. The Initiative would enhance U.S. national security and economic interests by improving the lives of the people of Latin America and the Caribbean through market oriented reforms and economic growth.

Mr. Speaker, I do urge support of the rule, and, while I have always been warned I should reserve the balance of my time, I am going to take the liberty of yielding back the balance of my time.

Mr. BEILENSEN. Mr. Speaker, I, too, yield back the balance of my time, and

I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. JEFFERSON). Pursuant to House Resolution 489 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4996.

□ 2305

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4996) to extend the authorities of the Overseas Private Investment Corporation, and for other purposes, with Mr. KANJORSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Connecticut [Mr. GEJDENSON] will be recognized for 30 minutes, and the gentleman from Wisconsin [Mr. ROTH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4996, the Jobs Through Export Act of 1992, will help create jobs here at home. This bill passed the Committee on Foreign Affairs with bipartisan support, and, at a time when America faces a 7½-percent unemployment rate, and growing in many areas, this is a bill that can give hope to American workers and opportunity to American companies.

This will not level the playing field. Our most capable economic competitors, the Japanese and the Europeans, still have programs to assist their industries and workers in exports that far exceed ours. But these meager beginnings will give American workers and American companies at least a chance.

One example of the success of these programs is a \$14 million OPIC loan guarantee to a United States telecommunications company for a project in Costa Rica which resulted in \$70 million worth of American exports. OPIC will make its profit off the guarantee. The American workers who build these systems will have salaries to pay their mortgages and send their kids to school, and we will be helping the American trade balance at the same time.

When we look at the American program for increasing exports and trade, it is a meager one, but in the reauthorization of this legislation which provides for loan guarantees, risk insur-

ance for U.S. investment overseas, the bill creates a partnership between public and private sectors to identify and aggressively pursue strategic export markets. It is our estimate that this bill will generate at least 120,000 jobs each year.

Mr. Speaker, titles I and II concern the Overseas Private Investment Corporation and the trade and development program. The language is similar to the legislation which passed the House last year. Title I reauthorizes the Overseas Private Investment Corporation or OPIC. OPIC offers U.S. investors assistance in finding overseas investment opportunities, insurance to protect those investments, and loans and loan guarantees to help finance the projects. OPIC cannot ensure or finance projects that would displace American workers. In fact, OPIC has helped to create 13,000 U.S. jobs alone in 1991.

The legislative funding levels will permit OPIC to work effectively in the new Republics of the former Soviet Union. Under this legislation, OPIC will use its own earnings to pay for its programs instead of funds provided by the U.S. taxpayers.

Title II doubles the size of the trade and development program and renames it the Trade and Development Agency. We are providing for \$70 million for fiscal year 1993, and it is estimated that for every 1 dollar it spends, it generates \$70 in U.S. goods and services being exported. Using this standard, the standard of \$1 billion creates 20,000 jobs. Every billion dollars of exports creates 20,000 jobs.

Mr. Speaker, this bill has the potential for creating 100,000 jobs in fiscal year 1993 alone for this section. The Trade and Development Agency simultaneously promotes economic development and the export of U.S. goods and services to developing countries. This opens the door for American products, and it develops a relationship at critical stages so that American products are the ones in line as these markets expand, not ones made in Japan or Europe.

These are the initial stages of trade and particularly important areas for the United States, and it is these entry level activities, while not necessarily tremendous in size, that are the ones that do lead to the larger contracts later.

It gives us a clear opportunity to level again the playing field and set standards based on American manufactured products and provisions, and thereby again in the long haul will demand that American products are used.

□ 2310

Title III provides guidelines to the existence of the Office of Capital projects. It takes dollars now used for foreign aid and designates these dollars to be used for capital projects, which

will again help American exports while helping these very countries.

Title IV calls on the Department of Commerce to create commercial centers in Asia, Eastern Europe, and Latin America. The purpose of these centers is to give the small and intermediate sized businesses an opportunity to compete on the international level. Once again, we find that every one of our major competitors, countries from Canada to France to Japan, have programs that are far larger than ours and far more aggressive.

We find that this is an important beginning, but one that needs to grow.

Mr. Chairman, the bill provides \$22 million for three centers for fiscal year 1993 through fiscal year 1997.

Mr. Chairman, I would like to express my appreciation for the ranking minority member of this committee, the gentleman from Wisconsin [Mr. ROTH], whose leadership and support of this on so many issues has been critical to the committee. While the public sees battles between Republicans and Democrats, they have a difficult time finding one of those battles on our committee.

Mr. Chairman, I would also again like to thank the gentleman from Wisconsin [Mr. ROTH] and the gentleman from Nebraska [Mr. BEREUTER], who play a very important role on this committee and have been real soldiers in helping us pull this bill together.

Mr. Chairman, of course without the efforts of the chairman of the Committee on Foreign Affairs, the gentleman from Florida [Mr. FASCELL], we would not be here today. The efforts of the gentleman in promoting exports and promoting American competitiveness have been singularly important in bringing us to this point.

Mr. Chairman, I reserve the balance of my time.

Mr. ROTH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all I would like to thank the chairman, the gentleman from Connecticut [Mr. GEJDESON] for his kind remarks, and to say that the feeling is mutual. We do appreciate the consideration of the Chairman, not only our views, but also of the amendments that we bring to the subcommittee. We thank the gentleman very much for the collegiality that we have on our committee. It is due to the leadership of the gentleman from Connecticut [Mr. GEJDESON].

Mr. Chairman, I thank the Members on our side of the aisle and the other side of the aisle for their excellent work on the subcommittee.

Mr. Chairman, this bill is a bipartisan effort designed to keep good paying jobs in America, and at the same time to help our exporters abroad.

We have spent a good deal of time putting into legislative form those concepts that many informed exporters agree will enhance our American export opportunities.

This bill will accomplish two major objectives. The chairman of the committee has very well explained those objectives and the entire bill. First, it would expand OPIC, Overseas Private Investment Corporation, authority, and create two new export initiatives.

Second, the bill will enable the private sector to become more involved in the development of newly emerging democracies and less developed countries.

The United States will be able to compete with Japan, Germany, and the European Community—countries who already have many of these programs—for the important markets in the developing world.

The world has become a radically different place in the past 5 years, and the United States can no longer stand idly by while Japan and the European Community crush us in an economic competition. We need this legislation. The Jobs Through Exports Act will help us win the economic challenge. The only way to win this competition is to have an aggressive trade policy that puts U.S. products in every country in the world and, most importantly, by expanding our exports, American jobs are created here at home.

Our markets are internationalized, and this will help us fit into that scheme.

We have seen that exports are one of the best ways to strengthen our economy. Consider this—over the past 3 years, our GNP growth has averaged just under 1 percent, while export growth has averaged over 8 percent during the same time period. Our exports not only help the U.S. economy grow, they create jobs here at home as well. For every \$1 billion of U.S. products that we export, 20,000 U.S. jobs are created.

The U.S. export promotion programs are considered some of our best initiatives. In today's competitive world, they play an essential role in giving U.S. companies the edge they need to win development contracts and sell their products. The Jobs Through Exports Act extends and expands the authority of the Overseas Private Investment Corporation. OPIC is an independent Government Corporation that has accumulated \$1.6 billion in assets in its 20 years of existence. OPIC takes no U.S. taxpayer money, and it makes a profit by assisting U.S. companies invest in developing countries throughout the world. In the past 20 years, 353 U.S. companies have received financing or insurance from OPIC. More and more companies want OPIC support for projects in the former Soviet Union and Eastern Europe. The Jobs Through Exports Act raises the caps on OPIC's program levels so that it can meet the needs of U.S. companies. OPIC's authorization expires on September 30, and it needs this legislation to assist U.S. companies.

Title two of this bill reauthorizes the Trade and Development Program and

raises its funding levels. The mandate of the Trade and Development Program is to tie economic development to U.S. exports. For every \$1 we spend on the Trade and Development Program, \$70 in exports are created. If we spend the \$55 million in fiscal 1992 on the Trade and Development Program, about 75,000 jobs will be created just by the increased number of exports that the Trade and Development Program can generate.

The bill also creates new programs that will further allow U.S. products and services to be utilized by countries throughout the world. It creates a separate office in the agency for international development in capital projects. The Capital Projects Office will ensure that the governments that receive this money will be using U.S. products and services to build needed infrastructure, rather than just using the money to buy Japanese or European goods. In the capital projects that we do fund, about 80 percent of the funds are used to buy U.S. goods and services. This money is not used, however as the foreign government chooses. But rather to buy U.S. products. This is only fair. If we are going to give foreign aid, we should use it to help our industries. Japan uses 61 percent of their foreign aid for capital projects, and Germany gives 46 percent of their aid for capital projects. To compete with these countries, we need this Capital Projects Office to tie U.S. products to U.S. foreign aid.

The bill also creates a pilot program for U.S. commercial centers. The purpose of these commercial centers is to assist U.S. companies in their business dealings. All too often U.S. companies wish to export their products to foreign countries, but our companies do not have the expertise needed to tackle the different laws and customs. This bill corrects this handicap. Our competitors already have similar programs. In fact, they have offices to help their companies sell into our country. U.S. commercial centers will give U.S. companies the edge they need to sell U.S. products abroad.

In addition, the bill puts additional U.S. representatives in the multilateral development banks to ensure that U.S. companies will have the best opportunities to gain important procurement contracts. Many times, American companies do not get the needed information to make bids on multilateral development contracts. By putting more U.S. representatives at the development banks, U.S. companies will get better access to these contracts and will be able to successfully bid on them.

This bill has wide support from the business community, including the National Association of Manufacturers, the U.S. Chamber of Commerce, the Coalition for Employment Through Exports, and the National Foreign Trade

Council. These groups agree that U.S. interests are best served by the export promotion programs that this bill addresses.

We hear again and again from these groups and their companies that to compete with Japan and Germany, United States industry needs Government support in obtaining investment opportunities and greater export markets. The Jobs Through Exports Act creates these opportunities for U.S. companies, which in turn will create jobs for American workers.

In his speech to the Congress, Russian President Boris Yeltsin stressed the importance of "trade not aid."

□ 2320

That is what this bill does. It strengthens U.S. trade with countries throughout the world while at the same time creating jobs for Americans.

I strongly urge my colleagues to support this bill because it is the best way to help other countries and a super way to help our own workers, not only now but also in the future.

Mr. Chairman, there are 10 amendments to this legislation. I think it is important for us to consider each one of these amendments because basically what it comes to is this: That we have an obligation, not only to our companies but also to the American people. And in the final analysis, we have to consider this bill and the amendments on how it is going to affect the American taxpayer.

Mr. Chairman, I reserve the balance of my time.

Mr. GEJDENSON. Mr. Chairman, I yield 5 minutes to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, this Member rises in support of H.R. 4996, the Jobs Through Exports Act of 1992. Thanks to the skill, hard work and persistence of the distinguished gentleman from Connecticut [Mr. GEJDENSON], the subcommittee chairman, and the strong cooperation and assistance of the distinguished ranking minority member, the gentleman from Wisconsin [Mr. ROTH], this body has the opportunity to pass legislation which can stimulate this Nation's economy by promoting the sale of United States exports in foreign markets, including the former Republics of the Soviet Union. This Member joins in urging speedy approval by the House. The hour is late and my two distinguished colleagues have clearly explained the contents, objectives, and necessity of the legislation, so that Member will be brief and highlight only a few facets.

Mr. Chairman, the objective of this bill is clear and compelling: to create American jobs through increased exports. The Jobs Through Exports Act accomplishes this objective by reau-

thorizing the Overseas Private Investment Corporation, providing grant funding for U.S. participation in capital projects in developing countries, and creating an enhanced public-private sector partnership to pursue strategic export markets.

This legislation is particularly important because it reauthorizes the Overseas Private Investment Corporation. OPIC is nearly unique in that it pays for its own operations through fees and insurance premiums. More importantly, it is a very effective organization in aiding United States investors by providing loans and loan guarantees as well as insurance for investments in what are new areas for OPIC like the former Republics of the Soviet Union. OPIC is a critical vehicle for new export opportunities. Indeed, this Member would have supported an even longer reauthorization period for this important program than is provided for in this bill.

The Jobs Through Exports Act also enhances the authority of the existing Trade and Development Program to promote U.S. exports in the world's developing countries by funding U.S. consultants, designers, and engineers involved in multilateral development bank projects. These multilateral projects, which represent a significant portion of international trade, will provide excellent opportunities for U.S. exporters because increased participation of U.S. consultants at this stage would often help U.S. exporters to subsequently secure the construction equipment, supply, and servicing business related to such projects.

One of the bill's simplest provisions has the potential to greatly increase the export of U.S. goods and services—especially for small- and medium-sized business. Often smaller businesses do not have the resources to monitor and collect information relating to multilateral development bank procurement. Title V includes language from the Members which directs the U.S. Department of Commerce to appoint one additional full-time officer for each multilateral development bank whose sole duty shall be to aid these small- and medium-sized exporters by alerting them to opportunities in multilateral development bank projects.

Mr. Chairman, the Jobs Through Exports Act is indeed a bipartisan effort that enjoyed overwhelming support, both in the Subcommittee on International Economic Policy and Trade and in the full Committee on Foreign Affairs. This is no doubt a tribute to the subcommittee's chairman, Mr. GEJDENSON, the ranking member, the distinguished gentleman from Wisconsin [Mr. ROTH], and my other colleagues on the subcommittee.

This member would also point to the important role played by the chairman of the committee, the distinguished gentleman from Florida [Mr. FASCELL],

and the ranking member, the distinguished gentleman from Michigan [Mr. BROOMFIELD], in perfecting and expediting this legislation. As a result of their outstanding leadership and the strong bipartisan cooperation on the subcommittee, we are able to present this body with a bill that all should be able, and in fact pleased, to enthusiastically support.

Mr. Chairman, as a member of the subcommittee and the cochairman of the House Export Task Force I would strongly urge the adoption of H.R. 4996.

Mr. GILMAN. Mr. Chairman, I would like to express my support for H.R. 4996—the Jobs Through Exports Act of 1992, which reauthorizes the Overseas Private Investment Corporation.

I commend the distinguished chairman of the Foreign Affairs Committee, DANTE FASCELL; the ranking member of the committee, WILLIAM BROOMFIELD; the chairman of the International Economic Policy Subcommittee, SAM GEJDENSON; and the ranking member of that subcommittee, TOBY ROTH, for their roles in bringing this legislation, which will increase American exports, to the floor.

First and foremost, this legislation will reauthorize the Overseas Private Investment Corporation, which last year funded \$6 billion of economic development projects throughout the world, and created more than 13,500 jobs for Americans here at home.

OPIC is a U.S. Government corporation that offers U.S. investors assistance in finding overseas business opportunities, insurance to protect these investments, and loans and loan guarantees to help finance projects. It is essential that the Congress reauthorize this key agency before its insurance and guarantee authorities expire later this year.

I would like to point out to my colleagues that Mr. BROOMFIELD has introduced, by request, the administration's OPIC reauthorization measure, H.R. 5200, that provides for a 5-year extension of the agency's authority, compared to the much more limited 3-year reauthorization period contained in the bill before us today.

In my view, a 5-year reauthorization is critical to OPIC's efforts to assist American companies abroad and increase our international competitiveness.

A 5-year reauthorization for OPIC would in no way preclude efforts by Congress to review the Corporation's performance and make any changes in its programs and funding levels.

While I generally support the other elements in the Jobs Through Exports Act—including expanding the Trade and Development Agency, creating an Office of Capital Projects in the Agency for International Development, and establishing commercial centers to aid American businessmen overseas—I urge my colleagues not to lose sight of the fact that the OPIC reauthorization is the only measure that must be enacted this fiscal year.

In closing, Mr. Chairman, I would also like to express my full support for the Enterprise for the Americas Initiative amendment to be offered by my colleague, Mr. BEREUTER. This amendment is fully consistent with the goals and objectives of the bill before us today and would be a powerful tool in helping to promote

environmental protection and child health projects in Latin America and the Caribbean.

Mr. BROOMFIELD. Mr. Chairman, I would like to express my support for the reauthorization of the Overseas Private Investment Corporation and the efforts of the bill's sponsors to increase American exports through H.R. 4996—the Jobs Through Exports Act of 1992.

I commend the distinguished chairman of the Foreign Affairs Committee, DANTE FASCELL; the chairman of the International Economic Policy Subcommittee, SAM GEJDENSON; and the ranking member of that subcommittee, TOBY ROTH, for their roles in bringing this legislation to the floor.

First and foremost, this legislation will reauthorize the Overseas Private Investment Corporation, which last year funded \$6 billion of economic development projects throughout the world and created more than 13,500 jobs for Americans here at home.

OPIC is a U.S. Government corporation that offers U.S. investors assistance in finding overseas business opportunities, insurance to protect these investments, and loans and loan guarantees to help finance projects. It is essential that the Congress reauthorize this key agency before its insurance and guarantee authorities expire on September 30.

Several weeks ago, I introduced the administration's OPIC reauthorization bill, H.R. 5200, which is very similar to the provisions contained in title I of this bill. The key difference between the two is that H.R. 5200 provides for a 5-year extension of the agency's authority, while this bill would extend it for only 3 years.

In my view, a 5-year reauthorization is critical to OPIC's efforts to assist American companies abroad and increase our international competitiveness.

A 5-year reauthorization for OPIC would in no way preclude efforts by Congress to review the Corporation's performance and make any changes in its programs and funding levels.

Another key difference is that title I of the Jobs Through Exports Act would not permit OPIC to have its own inspector general, while my bill contains no such restriction.

The legislative provisions in title I provide a mechanism for the continued review of the Corporation's financial statements by outside consultants and by the Government Accounting Office. But, I would argue that the growth in OPIC's programs and the need to maintain strict internal accounting and ethical controls mean that the time has come for this agency to have its own inspector general.

While I generally support the other elements in the Jobs Through Exports Act—including expanding the Trade and Development Agency, creating an Office of Capital Projects in the Agency for International Development, and establishing commercial centers to aid American businessmen overseas—their enactment is of secondary concern compared to the need to reauthorize OPIC before the end of the current fiscal year.

In closing, Mr. Chairman, I would also like to express my full support for the Enterprise for the Americas Initiative amendment to be offered by my colleague, Mr. BEREUTER. This amendment is fully consistent with the goals and objectives of the bill before us today and would be a powerful tool in both stimulating the economies of our neighbors in Latin America and increasing our exports to that region.

Mr. DOWNEY. Mr. Chairman, I rise today in strong support for H.R. 4996, the Jobs Through Exports Act of 1992. The long term economic health of our Nation is directly tied to encouraging more companies, particularly small companies, to export. The bill before us is an important part of a sound export strategy.

It reauthorizes the Overseas Private Investment Corporation [OPIC], establishes an office of capital projects at the Agency for International Development [AID], and creates a new authorization for the Department of Commerce to create commercial centers in Asia, Eastern Europe and Latin America.

In April, I had the honor of delivering the keynote address at a conference entitled "Taking the Guess Work Out of Exporting", held at SUNY Farmingdale in my congressional district on Long Island. At that time, I said that we had to do a better job of helping local companies move into new overseas markets. H.R. 4996 does just that.

I believe that U.S. businesses have done a good job of expanding their presence in world markets. Overall, U.S. merchandise exports have increased by 66 percent since 1987, reaching \$422 billion in 1991. The "1991 Annual Report of the President on the Trade Agreement Program" revealed that between 1988 and 1991, merchandise exports accounted for 70 percent of the growth in U.S. GDP.

This increase in exports is due to many factors: a weaker dollar, congressional strengthening of the market access provisions of U.S. trade laws, and perhaps most importantly, a conscious effort by our companies to increase their export share.

As a Representative from New York, I am acutely aware of the importance of expanding our export capacity. According to the Port Authority of New York and New Jersey, exports from the New York metropolitan region increased 8.5 percent during 1991, despite the recession. New York ranks third among the States as an exporter, with \$30.9 billion of exports in 1991.

Mr. Chairman, our working men and women are doing a good job, but with assistance from well designed Federal programs, they can do even better. I am particularly pleased that this bill authorizes Commerce to set up commercial centers around the world. These centers will help small businesses identify and target strategic markets for U.S. exports and services. Earlier this year National Small Business United released a Gallup survey that showed that many small businesses don't export because "they don't know where to start, fear the complexity or don't think information or Federal support is easily available." The commercial centers provided in this bill should help meet this need.

We need to do a better job of coordinating Federal, State, and local efforts to improve exports. The conference I mentioned earlier is a good example of sound coordination. It was jointly sponsored by the Small Business Development Center at SUNY-Farmingdale, the U.S. Department of Commerce, the New York State Office of Economic Development, and the Suffolk County Department of Economic

Development. The Small Business Development Center itself is a project of the U.S. Small Business Administration, and one of over 700 of these centers nationwide.

If we all work together, we can continue our export growth. We can not afford to neglect potential markets, wherever they may be. I urge my colleagues to support this bill, which has been so ably drafted by my good friend, Mr. GEJDENSON. H.R. 4996 should help to make "Made in the U.S.A." a more visible presence in the world's markets.

Mr. ROTH. Mr. Chairman, I yield back the balance of my time.

Mr. GEJDENSON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Pursuant to the rule, the amendment in the nature of a substitute now printed in the reported bill is considered as an original bill for the purpose of amendment and each title is considered as read.

No amendment to the committee amendment in the nature of a substitute is in order other than pro forma amendments for the purpose of debate, the amendment printed in House Report 102-575, or amendments printed in the CONGRESSIONAL RECORD prior to the consideration of the bill for amendment.

The Clerk will designate section 1.

The text of section 1 is as follows:

H.R. 4996

Be enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Jobs Through Exports Act of 1992".

The CHAIRMAN. Are there any amendments to section 1?

If not, the Clerk will designate title I.

The text of title I is as follows:

TITLE I—OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 101. SHORT TITLE.

This title may be cited as the "Overseas Private Investment Corporation Amendments Act of 1992".

SEC. 102. REAUTHORIZATION OF CORPORATION.

(a) IN GENERAL.—Title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 and following) is amended to read as follows:

"TITLE IV—OVERSEAS PRIVATE INVESTMENT CORPORATION

"SEC. 231. PURPOSE AND POLICY.

"(a) PURPOSE.—The Overseas Private Investment Corporation shall be an agency of the United States under the foreign policy guidance of the Secretary of State. The purpose of the Corporation is to promote sustainable economic development in developing and other eligible countries by mobilizing and facilitating the participation of the United States private sector.

"(b) ELIGIBILITY CRITERIA FOR PARTICIPATING COUNTRIES AND AREAS.—

"(1) IN GENERAL.—Countries or areas within countries may be eligible to receive insurance, reinsurance, financing, or other financial support from the Corporation if—

"(A) that country has established diplomatic relations with the United States;

"(B) that country or area is a developing country or area, or a country in transition from a nonmarket to market economy; and

"(C) that country respects internationally recognized human rights.

"(2) PREFERENCE FOR CERTAIN COUNTRIES.—The Corporation shall, in conducting its activities, give preference to countries with per capita incomes of \$1,146 or less in 1990 United States dollars; and restrict its activities in countries with per capita incomes of \$4,974 or more in 1990 United States dollars (other than countries designated as beneficiary countries under section 212 of the Caribbean Basin Economic Recovery Act).

"(3) EXCEPTION.—In a case in which a country in which the Corporation is conducting activities no longer meets the criteria set forth in paragraph (1), the Corporation may continue to operate its programs in that country, but shall not extend any new insurance, reinsurance, or financing with respect to projects in which the government of that country is involved as a partner, shareholder, director, manager, or otherwise.

"(c) GUIDELINES FOR ACTIVITIES OF OPIC.—In carrying out its purpose, the Corporation shall undertake—

"(1) to conduct insurance, reinsurance, and financing operations on a self-sustaining basis, taking into account in its financing operations the economic and financial soundness of projects;

"(2) to utilize private credit and investment institutions and the Corporation's guarantee authority as the principal means of mobilizing capital investment funds;

"(3) to broaden private participation by selling its direct investments to private investors whenever it can appropriately do so on satisfactory terms;

"(4) to conduct its insurance operations with due regard to principles of risk management, including efforts to share its insurance risks and reinsurance risks;

"(5) to consider in the conduct of its operations the extent to which the governments of eligible countries are receptive to private enterprise, domestic and foreign, and their willingness and ability to maintain conditions which enable private enterprise to make its full contribution to the development process;

"(6) to foster private initiative and competition and discourage monopolistic practices;

"(7) to further to the greatest degree possible, in a manner consistent with its goals, the balance-of-payments and employment objectives of the United States;

"(8) to consider in the conduct of its operations the extent to which the governments of eligible countries respect human rights, labor rights, and the need to support sound environmental practices and policies;

"(9) to conduct its activities in consonance with the international trade, investment, and financial policies of the United States Government, and to seek to support those developmental projects having positive trade benefits for the United States; and

"(10) to advise and assist, within its field of competence, interested agencies of the United States and other organizations, both public and private, national and international, with respect to projects and programs relating to the development of private enterprise in eligible countries and areas.

"SEC. 232. STOCK OF THE CORPORATION; ORGANIZATION AND MANAGEMENT.

"(a) STOCK.—The Secretary of the Treasury shall hold the capital stock of the Corporation.

"(b) STRUCTURE OF THE CORPORATION.—The Corporation shall have a Board of Directors, a President, an Executive Vice President, and such other officers and staff as the Board of Directors may determine.

"(c) BOARD OF DIRECTORS.—

"(1) IN GENERAL.—All powers of the Corporation shall vest in and be exercised by or under

the authority of its Board of Directors (hereinafter in this title referred to as 'the Board') which shall consist of 15 Directors (including the Chair, the Executive Vice Chair, and the Vice Chair), with 8 Directors constituting a quorum for the transaction of business.

"(2) COMPOSITION OF THE BOARD.—

"(A) CHAIR.—The Chair of the Board shall be the President of the Corporation, ex officio.

"(B) EXECUTIVE VICE CHAIR.—The Executive Vice Chair of the Board shall be the Administrator of the Agency for International Development, ex officio.

"(C) VICE CHAIR.—The Vice Chair of the Board shall be the United States Trade Representative, ex officio, or, if so designated by the United States Trade Representative, a Deputy United States Trade Representative.

"(D) PUBLIC SECTOR DIRECTORS.—(i) In addition to the directors provided for in subparagraphs (A), (B), and (C), four Directors who are officers or employees of the Government of the United States, including an officer or employee of the Department of Labor, shall be designated by and shall serve at the pleasure of the President of the United States.

"(ii) The Directors designated under this subparagraph shall receive no additional compensation by virtue of their service as such a Director.

"(E) PRIVATE SECTOR DIRECTORS.—(i) Eight Directors who are not officers or employees of the Government of the United States shall be appointed by the President of the United States, by and with the advice and consent of the Senate.

Of these, at least—

"(I) one shall be experienced in small business,

"(II) one shall be experienced in organized labor,

"(III) one shall be experienced in cooperatives, and

"(IV) one shall be experienced in social and economic development issues.

"(ii) Each Director appointed under this subparagraph shall be appointed for a term of not more than 3 years. The terms of not more than 3 such Directors shall expire in any 1 year. Such Directors shall serve until their successors are appointed and qualified and may be reappointed to subsequent terms.

"(iii) Each Director appointed under this subparagraph shall be compensated at the daily equivalent of the annual rate of pay in effect for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such Director is actually engaged in the business of the Corporation, and may be paid travel or transportation expenses to the extent authorized for employees serving intermittently in the Government service under section 5703 of title 5, United States Code. Any such Director may waive any such compensation.

"(d) APPOINTMENT OF THE PRESIDENT.—The President of the Corporation shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and shall serve at the pleasure of the President. In making such appointment, the President shall take into account the private business experience of the appointee. The President of the Corporation shall be its Chief Executive Officer and shall be responsible for the operations and management of the Corporation, subject to bylaws and policies established by the Board.

"(e) OFFICERS AND STAFF.—

"(1) EXECUTIVE VICE PRESIDENT.—The Executive Vice President of the Corporation shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and shall serve at the pleasure of the President.

"(2) OTHER OFFICERS AND STAFF.—(A) The Corporation may appoint such other officers and such employees (including attorneys) and agents as the Corporation considers appropriate.

"(B) The officers, employees, and agents appointed under this subsection shall have such functions as the Corporation may determine.

"(C) Of the officers, employees, and agents appointed under this paragraph, 20 may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, may be compensated without regard to the provisions of chapter 51 or subchapter III of chapter 53 of such title, and shall serve at the pleasure of the Corporation.

"(D) Under such regulations as the President may prescribe, any individual appointed under subparagraph (C) may be entitled, upon removal (except for cause) from the position to which the appointment was made, to reinstatement to the position occupied by that individual at the time of appointment or to a position of comparable grade and pay.

"SEC. 233. INVESTMENT INSURANCE, FINANCING, AND OTHER PROGRAMS.

"(a) INVESTMENT INSURANCE.—

"(1) RISKS FOR WHICH INSURANCE ISSUED.—The Corporation is authorized to issue insurance, upon such terms and conditions as the Corporation may determine, to eligible investors assuring protection in whole or in part against any or all of the following risks with respect to projects which the Corporation has approved:

"(A) Inability to convert into United States dollars other currencies, or credits in such currencies, received as earnings or profits from the approved project, as repayment or return of the investment in the project, in whole or in part, or as compensation for the sale or disposition of all or any part of the investment.

"(B) Loss of investment, in whole or in part, in the approved project due to expropriation or confiscation by action of a foreign government.

"(C) Loss due to war, revolution, insurrection, or civil strife.

"(D) Loss due to business interruption caused by any of the risks set forth in subparagraphs (A), (B), and (C).

"(2) RISK SHARING ARRANGEMENTS WITH FOREIGN GOVERNMENTS AND MULTILATERAL ORGANIZATIONS.—Recognizing that major private investments in eligible countries or areas are often made by enterprises in which there is multinational participation, including significant United States private participation, the Corporation may make arrangements with foreign governments (including agencies, instrumentalities, and political subdivisions thereof) and with multilateral organizations and institutions for sharing liabilities assumed under investment insurance for such investments and may, in connection with such arrangements, issue insurance to investors not otherwise eligible for insurance under this title, except that—

"(A) liabilities assumed by the Corporation under the authority of this paragraph shall be consistent with the purposes of this title, and

"(B) the maximum share of liabilities so assumed shall not exceed the proportionate participation by eligible investors in the project.

"(3) MAXIMUM CONTINGENT LIABILITY WITH RESPECT TO SINGLE INVESTOR.—Not more than 10 percent of the maximum contingent liability of investment insurance which the Corporation is permitted to have outstanding under section 235(a)(1) shall be issued to a single investor.

"(4) REPORTS ON INSURANCE ISSUED FOR BUSINESS INTERRUPTION OR CIVIL STRIFE.—(A) In each instance in which a significant expansion is proposed in the type of risk to be insured under the definition of 'civil strife' or 'business interruption', the Corporation shall, at least 60 days before such insurance is issued, submit to

the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate a report with respect to such insurance.

"(B) Each such report shall include a thorough analysis of the risks to be covered, anticipated losses, and proposed rates and reserves and, in the case of insurance for loss due to business interruption, an explanation of the underwriting basis upon which the insurance is to be offered.

"(C) Any such report with respect to insurance for loss due to business interruption shall be considered in accordance with the procedures applicable to reprogramming notifications pursuant to section 634A.

"(b) INVESTMENT GUARANTEES.—

"(1) AUTHORITY.—The Corporation is authorized to issue to eligible investors guarantees of loans and other investments made by such investors assuring against loss due to such risks and upon such terms and conditions as the Corporation may determine, subject to paragraphs (2), (3), and (4).

"(2) GUARANTEES ON OTHER THAN LOAN INVESTMENTS.—A guarantee issued under paragraph (1) on other than a loan investment may not exceed 75 percent of such investment.

"(3) LIMIT ON AMOUNT OF INVESTMENT GUARANTEE.—Except for loan investments for credit unions made by eligible credit unions or credit union associations, the aggregate amount of investment (exclusive of interest and earnings) for which guarantees are issued under paragraph (1) with respect to any project shall not exceed, at the time of issuance of any such guarantee, 75 percent of the total investment committed to any such project as determined by the Corporation. Such determination by the Corporation shall be conclusive for purposes of the Corporation's authority to issue any such guarantee.

"(4) MAXIMUM CONTINGENT LIABILITY WITH RESPECT TO SINGLE INVESTOR.—Not more than 15 percent of the maximum contingent liability of investment guarantees which the Corporation is permitted to have outstanding under section 235(a)(2) may be issued to a single investor.

"(c) DIRECT INVESTMENT.—

"(1) IN GENERAL.—The Corporation is authorized to make loans in United States dollars, repayable in dollars, and to make loans in foreign currencies, to firms privately owned or of mixed private and public ownership, upon such terms and conditions as the Corporation may determine. Loans may be made under this subsection only for projects that are sponsored by or significantly involve United States small business or cooperatives.

"(2) USE OF LOAN FOR NEW TECHNOLOGIES, PRODUCTS, OR SERVICES.—The Corporation may designate up to 25 percent of any loan under this subsection for use in the development or adaptation in the United States of new technologies or new products or services that are to be used in the project for which the loan is made and are likely to contribute to the economic or social development of eligible countries or areas.

"(d) INVESTMENT ENCOURAGEMENT.—The Corporation is authorized to initiate and support through financial participation, incentive grant, or otherwise, and on such terms and conditions as the Corporation may determine, the identification, assessment, surveying, and promotion of private investment opportunities, using wherever feasible and effective the facilities of private investors, except that the Corporation shall not finance any survey to ascertain the existence, location, extent, or quality of oil or gas resources.

"(e) SPECIAL ACTIVITIES.—The Corporation is authorized to administer and manage special projects and programs, including programs of fi-

nancial and advisory support, which provide private technical, professional, or managerial assistance in the development of human resources, skills, technology, capital savings, intermediate financial and investment institutions, and cooperatives. The funds for these projects and programs may, with the Corporation's concurrence, be transferred to it for such purposes under the authority of section 632(a) or from other sources, public or private.

"(f) OTHER INSURANCE FUNCTIONS.—

"(1) IN GENERAL.—The Corporation is authorized—

"(A) to make and carry out contracts of insurance or reinsurance, or agreements to associate or share risks, with insurance companies, financial institutions, any other persons, or groups thereof, and

"(B) to employ such insurance companies, financial institutions, other persons, or groups, where appropriate, as its agent, or to act as their agent, in the issuance and servicing of insurance, the adjustment of claims, the exercise of subrogation rights, the ceding and accepting of reinsurance, and in any other matter incident to an insurance business,

except that such agreements and contracts shall be consistent with the purposes of the Corporation set forth in section 231 and shall be on equitable terms.

"(2) RISK-SHARING AGREEMENTS.—The Corporation is authorized to enter into pooling or other risk-sharing agreements with multinational insurance or financing agencies or groups of such agencies.

"(3) OWNERSHIP INTEREST IN RISK-SHARING ENTITIES.—The Corporation is authorized to hold an ownership interest in any association or other entity established for the purposes of sharing risks under investment insurance.

"(4) REINSURANCE OF CERTAIN LIABILITIES.—The Corporation is authorized to issue, upon such terms and conditions as it may determine, reinsurance of liabilities assumed by other insurers or groups thereof with respect to risks referred to in subsection (a)(1).

"(5) LIMITATION ON REINSURANCE.—The amount of reinsurance of liabilities under this title which the Corporation may issue shall not in the aggregate exceed at any one time an amount equal to the amount authorized for the maximum contingent liability outstanding at any one time under section 235(a)(1). All reinsurance issued by the Corporation under this subsection shall require that the reinsured party retain for his or her own account specified portions of liability, whether first loss or otherwise.

"(6) ENHANCING PRIVATE POLITICAL RISK INSURANCE INDUSTRY.—

"(A) COOPERATIVE PROGRAMS.—In order to encourage greater availability of political risk insurance for eligible investors by enhancing the private political risk insurance industry in the United States, and to the extent consistent with this title, the Corporation shall undertake programs of cooperation with such industry, and in connection with such programs may engage in the following activities:

"(i) Utilizing its statutory authorities, encourage the development of associations, pools, or consortia of United States private political risk insurers.

"(ii) Share insurance risks (through coinsurance, contingent insurance, or other means) in a manner that is conducive to the growth and development of the private political risk insurance industry in the United States.

"(iii) Notwithstanding section 237(e), upon the expiration of insurance provided by the Corporation for an investment, enter into risk-sharing agreements with United States private political risk insurers to insure any such investment; except that, in cooperating in the offering of insurance under this clause, the Corporation shall

not assume responsibility for more than 50 percent of the insurance being offered in each separate transaction.

"(B) ADVISORY GROUP.—

"(i) ESTABLISHMENT AND MEMBERSHIP.—The Corporation shall establish a group to advise the Corporation on the development and implementation of the cooperative programs under this paragraph. The group shall be appointed by the Board and shall be composed of up to 12 members, including the following:

"(I) Up to 7 persons from the private political risk insurance industry, of whom no fewer than 2 shall represent private political risk insurers, 1 shall represent private political risk reinsurers, and 1 shall represent insurance or reinsurance brokerage firms.

"(II) Up to 4 persons, other than persons described in subclause (I), who are purchasers of political risk insurance.

"(ii) FUNCTIONS.—The Corporation shall call upon members of the advisory group, either collectively or individually, to advise it regarding the capability of the private political risk insurance industry to meet the political risk insurance needs of United States investors, and regarding the development of cooperative programs to enhance such capability.

"(iii) MEETINGS.—The advisory group shall meet at least annually. The Corporation may from time to time convene meetings of selected members of the advisory group to address particular questions requiring their specialized knowledge.

"(iv) FEDERAL ADVISORY COMMITTEE ACT.—The advisory group shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

"(g) EQUITY FINANCE PROGRAM.—

"(1) AUTHORITY FOR EQUITY FINANCE PROGRAM.—The Corporation is authorized to establish an equity finance program under which it may, on the limited basis prescribed in paragraphs (2) through (4), purchase, invest in, or otherwise acquire equity or quasi-equity securities of any firm or entity, upon such terms and conditions as the Corporation may determine, for the purpose of providing capital for any project which is consistent with the provisions of this title, except that—

"(A) the aggregate amount of the Corporation's equity investment with respect to any project shall not exceed 30 percent of the aggregate amount of all equity investment made with respect to such project at the time that the Corporation's equity investment is made, except for securities acquired through the enforcement of any lien, pledge, or contractual arrangement as a result of a default by any party under any agreement relating to the terms of the Corporation's investment; and

"(B) the Corporation's equity investment under this subsection with respect to any project, when added to any other investments made or guaranteed by the Corporation under subsection (b) or (c) with respect to such project, shall not cause the aggregate amount of all such investment to exceed, at the time any investment is made or guaranteed by the Corporation, 75 percent of the total investment committed to such project as determined by the Corporation. The determination of the Corporation under subparagraph (B) shall be conclusive for purposes of the Corporation's authority to make or guarantee any such investment.

"(2) ADDITIONAL CRITERIA.—In making investment decisions under this subsection, the Corporation shall give preferential consideration to projects sponsored by or significantly involving United States small business or cooperatives. The Corporation shall also consider the extent to which the Corporation's equity investment will assist in obtaining the financing required for the project.

"(3) DISPOSITION OF EQUITY INTEREST.—Taking into consideration, among other things, the

Corporation's financial interests and the desirability of fostering the development of local capital markets in eligible countries or areas, the Corporation shall endeavor to dispose of any equity interest it may acquire under this subsection within a period of 10 years from the date of acquisition of such interest.

"(4) CONSULTATIONS WITH CONGRESS.—The Corporation shall consult annually with the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate on the implementation of the equity finance program established under this subsection.

"SEC. 234. GUIDELINES AND CRITERIA FOR OPIC SUPPORT.

"(a) DEVELOPMENT GUIDELINES.—

"(1) CRITERIA.—The Corporation, in determining whether to provide insurance, reinsurance, or financing for a project shall be guided by the economic and social development impact and benefits of such a project and the ways in which such a project complements, or is compatible with, other development assistance programs or projects of the United States or other donors.

"(2) DEVELOPMENT IMPACT PROFILE.—In order to carry out the policy set forth in paragraph (1), the Corporation shall prepare and maintain, for each investment project it insures, reinsures, or finances, a development impact profile consisting of data appropriate to measure the projected and actual effects of such project on development.

"(b) SMALL BUSINESS DEVELOPMENT.—

"(1) BROADENED PARTICIPATION BY SMALL BUSINESSES.—The Corporation shall undertake, in cooperation with appropriate departments, agencies, and instrumentalities of the United States as well as private entities and others, to broaden the participation of United States small business, cooperatives, and other small United States investors in the development of small private enterprise in eligible countries or areas.

"(2) PREFERENTIAL CONSIDERATION.—Notwithstanding the requirements of section 231(c)(1), and on such terms and conditions as the Corporation may determine through loans, grants, or other programs authorized by section 233, the Corporation shall undertake, to the maximum degree possible consistent with its purposes—

"(A) to give preferential consideration in its investment insurance, reinsurance, and guarantee activities to investment projects sponsored by or involving United States small business; and

"(B) to maintain the proportion of projects sponsored by or significantly involving United States small business at not less than 30 percent of all projects insured, reinsured, or guaranteed by the Corporation.

"(c) ENVIRONMENTAL CONSIDERATIONS.—

"(1) ENVIRONMENTAL, HEALTH, OR SAFETY HAZARD.—The Corporation shall refuse to insure, reinsure, or finance any investment in connection with a project which the Corporation determines will pose an unreasonable or major environmental, health, or safety hazard, or will result in the significant degradation of national parks or similar protected areas.

"(2) RESOURCE SUSTAINABLE DEVELOPMENT.—The Corporation, in determining whether to provide insurance, reinsurance, or financing for a project, shall ensure that the project is consistent with the objectives set forth in sections 117 (relating to environment and natural resources), 118 (relating to tropical forests), and 119 (relating to endangered species).

"(3) ENVIRONMENTAL IMPACT STATEMENTS AND ASSESSMENTS.—The requirements of section 117(c) relating to environmental impact statements and environmental assessments shall apply to any investment which the Corporation insures, reinsures, or finances under this title in connection with a project in a country.

"(4) NOTIFICATION OF FOREIGN GOVERNMENTS.—Before finally providing insurance, reinsurance, or financing under this title for any environmentally sensitive investment in connection with a project in a country, the Corporation shall notify appropriate government officials of that country of—

"(A) all guidelines and other standards adopted by the International Bank for Reconstruction and Development and any other international organization that relate to the public health or safety or the environment and are applicable to the project; and

"(B) to the maximum extent practicable, any restriction, under any law of the United States, that relates to public health or safety or the environment and would apply to the project if the project were undertaken in the United States.

The notification under the preceding sentence shall include a summary of the guidelines, standards, and restrictions referred to in subparagraphs (A) and (B), and may include any environmental impact statement, assessment, review, or study prepared with respect to the investment pursuant to paragraph (3).

"(5) CONSIDERATION OF COMMENTS RECEIVED.—Before finally providing insurance, reinsurance, or financing for any investment subject to paragraph (4), the Corporation shall take into account any comments it receives on the project involved.

"(d) WORKER RIGHTS.—

"(1) LIMITATION ON OPIC ACTIVITIES.—The Corporation may insure, reinsure, or finance a project only if the country in which the project is to be undertaken is taking steps to adopt and implement laws that extend internationally recognized worker rights, as defined in section 502(a)(4) of the Trade Act of 1974 (19 U.S.C. 2462(a)(4)), to workers in that country (including any designated zone in that country). The Corporation shall also include the following language, in substantially the following form, in all contracts which the Corporation enters into with eligible investors to provide financial support under this title:

"The investor agrees not to take actions to prevent employees of the foreign enterprise from lawfully exercising their right of association and their right to organize and bargain collectively. The investor further agrees to observe applicable laws relating to a minimum age for employment of children, acceptable conditions of work with respect to minimum wages, hours of work, and occupational health and safety, and not to use forced labor. The investor is not responsible under this paragraph for the actions of a foreign government."

"(2) USE OF ANNUAL REPORTS ON WORKERS RIGHTS.—The Corporation shall, in making its determinations under paragraph (1), use the reports submitted to the Congress pursuant to section 505(c) of the Trade Act of 1974 (19 U.S.C. 2465(c)).

"(3) WAIVER.—Paragraph (1) shall not prohibit the Corporation from providing any insurance, reinsurance, or financing with respect to a country if the President determines that such activities by the Corporation would be in the national economic interests of the United States. Any such determination shall be reported in writing to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, together with the reasons for the determination.

"(e) HUMAN RIGHTS.—The Corporation shall take into account in the conduct of its programs in a country, in consultation with the Secretary of State, all available information about observance of and respect for human rights and fundamental freedoms in such country and the effect the operation of such programs will have on human rights and fundamental freedoms in such country. The provisions of section 116 shall

apply to any insurance, reinsurance, or financing provided by the Corporation for projects in a country, except that in addition to the exception set forth in subsection (a) of such section, the Corporation may support a project if the national security interest so requires.

"(f) HARM TO EMPLOYMENT IN THE UNITED STATES.—

"(1) REPLACEMENT OF UNITED STATES PRODUCTION.—(A) The Corporation shall refuse to insure, reinsure, or finance an investment if the Corporation determines that such investment is likely to cause the investor (or the sponsor of an investment project in which the investor is involved) significantly to reduce the number of the investor's or sponsor's employees in the United States because the investor or sponsor is replacing his or her United States production with production from such investment, and the production from such investment involves substantially the same product for substantially the same market as the investor's or sponsor's United States production.

"(B) If the Corporation determines that an investment is not likely to have the effects described in subparagraph (A), the Corporation shall monitor conformance with the representations made by the investor on which the Corporation relied in making that determination.

"(2) REDUCTION OF EMPLOYEES IN THE UNITED STATES.—The Corporation shall refuse to insure, reinsure, or finance an investment if the Corporation determines that such investment is likely to cause a significant reduction in the number of employees in the United States.

"(g) PERFORMANCE REQUIREMENTS.—The Corporation shall refuse to insure, reinsure, or finance an investment which is subject to performance requirements which would reduce substantially the positive trade benefits likely to accrue to the United States from the investment.

"(h) PROHIBITED TRADE PRACTICES.—

"(1) PAYMENTS TO VIOLATORS BARRED.—No payment may be made under any insurance or reinsurance which is issued under this title on or after April 24, 1978, for any loss occurring with respect to a project, if the preponderant cause of such loss was an act by the investor seeking payment under this title, by a person possessing majority ownership and control of the investor at the time of the act, or by any agent of such investor or controlling person, and a court of the United States has entered a final judgment that such act constituted a violation of section 30A of the Securities Exchange Act of 1934 or section 104 of the Foreign Corrupt Practices Act of 1977.

"(2) REGULATIONS.—The Corporation shall have in effect regulations setting forth appropriate conditions under which any person who has been finally determined by a court of the United States to have violated section 30A of the Securities Exchange Act of 1934 or section 104 of the Foreign Corrupt Practices Act of 1977 shall be suspended, for a period of not more than 5 years, from eligibility to receive any insurance, reinsurance, financing, or other financial support authorized by this title, if that violation related to a project insured, reinsured, financed, or otherwise supported by the Corporation under this title.

"(i) FRAUD OR MISREPRESENTATION.—No payment may be made under any guarantee, insurance, or reinsurance issued under this title for any loss arising out of fraud or misrepresentation for which the party seeking payment is responsible.

"(j) PENALTIES FOR FRAUD.—Whoever knowingly makes any false statement or report, or willfully overvalues any land, property, or security, for the purpose of influencing in any way the action of the Corporation with respect to any insurance, reinsurance, guarantee, loan, equity investment, or other activity of the Cor-

poration under section 233 or any change or extension of any such insurance, reinsurance, guarantee, loan, equity investment, or activity, by renewal, deferment of action or otherwise, or the acceptance, release, or substitution of security therefor, shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both.

"(k) PUBLIC HEARINGS.—The Board shall hold at least 1 public hearing each year in order to afford an opportunity for any person to present views as to whether the Corporation is carrying out its activities in accordance with section 231 and this section or whether any investment in a particular country should have been or should be extended insurance, reinsurance, or financing under this title.

"SEC. 235. ISSUING AUTHORITY, DIRECT INVESTMENT FUND, EQUITY FUND, AND RESERVES.

"(a) ISSUING AUTHORITY.—

"(1) INSURANCE.—The maximum contingent liability outstanding at any one time pursuant to insurance issued under section 233(a) shall not exceed in the aggregate \$10,000,000,000.

"(2) GUARANTEES.—(A) The maximum contingent liability outstanding at any one time pursuant to guarantees issued under section 233(b) shall not exceed in the aggregate \$3,000,000,000.

"(B) Subject to spending authority provided in appropriations Acts, pursuant to section 504(b) of the Federal Credit Reform Act of 1990, the Corporation is authorized—

"(i) to transfer \$7,450,000, or such sums as are necessary, from its noncredit account revolving fund to pay for the subsidy cost of a program level for the loan guarantee program under section 233(b) of \$500,000,000 for fiscal year 1993; and

"(ii) to transfer such sums as are necessary from its noncredit account revolving fund to pay for the subsidy cost of a program level for the loan guarantee program under section 233(b) of \$800,000,000 for fiscal year 1994 and \$900,000,000 for fiscal year 1995.

"(3) TERMINATION OF AUTHORITY.—The authority of subsections (a) and (b) of section 233 shall continue until September 30, 1995.

"(b) DIRECT LOAN PROGRAM.—Subject to spending authority provided in appropriations Acts, pursuant to section 504(b) of the Federal Credit Reform Act of 1990, the Corporation is authorized—

"(1) to transfer up to \$6,950,000, or such sums as are necessary, from its noncredit account revolving fund to pay for the subsidy cost of a program level for its direct loan program under section 233(c) of \$50,000,000 for fiscal year 1993; and

"(2) to transfer such sums as are necessary from its noncredit account revolving fund to pay for the subsidy cost of a program level for its direct loan program under section 233(c) of \$75,000,000 for fiscal year 1994 and \$100,000,000 for fiscal year 1995.

"(c) CREATION OF FUND FOR ACQUISITION OF EQUITY.—The Corporation is authorized to establish a revolving fund to be available solely for the purposes specified in section 233(g) and to make transfers to the fund of a total of \$45,000,000 (less amounts transferred to the fund before the effective date of the Overseas Private Investment Corporation Amendments Act of 1992) from its noncredit account revolving fund. The Corporation shall transfer to the fund in each fiscal year all amounts received by the Corporation during the preceding fiscal year as income on securities acquired under section 233(g), and from the proceeds on the disposition of such securities. Purchases of, investments in, and other acquisitions of equity from the fund are authorized for any fiscal year only to the extent or in such amounts as are provided in advance in appropriations Acts or are transferred

to the Corporation pursuant to section 632(a) of this Act.

"(d) INSURANCE RESERVES.—

"(1) MAINTENANCE AND PURPOSES.—The Corporation shall maintain insurance reserves. Such reserves shall be available for the discharge of liabilities, as provided in subsection (e), until such time as all such liabilities have been discharged or have expired or until all such reserves have been expended in accordance with the provisions of this section.

"(2) FUNDING.—The insurance reserves shall consist of—

"(A) any funds in the insurance reserves of the Corporation on the effective date of the Overseas Private Investment Corporation Amendments Act of 1992,

"(B) amounts transferred to the reserves pursuant to this title, and

"(C) such sums as are appropriated pursuant to subsection (f) of this section for such purposes.

"(e) ORDER OF PAYMENTS TO DISCHARGE LIABILITIES.—Any payment made to discharge liabilities under investment insurance or reinsurance issued under section 233 or under predecessor guarantee authority shall be paid first out of the insurance reserves, as long as such reserves remain available, and thereafter out of funds made available pursuant to subsection (f) of this section. Any payments made to discharge liabilities under guarantees issued under section 233(b) shall be paid in accordance with the Federal Credit Reform Act of 1990.

"(f) AUTHORIZATION OF APPROPRIATIONS.—

"(1) AUTHORIZATION.—Subject to paragraph (2), there are authorized to be appropriated to the Corporation, to remain available until expended, such amounts as may be necessary from time to time to replenish or increase the insurance reserves, to discharge the liabilities under insurance or reinsurance issued by the Corporation or issued under predecessor guarantee authority, or to discharge obligations of the Corporation purchased by the Secretary of the Treasury pursuant to subsection (g).

"(2) LIMITATION ON APPROPRIATIONS.—No appropriation shall be made under paragraph (1) to augment the insurance reserves until the amount of funds in the insurance reserves is less than \$25,000,000. Any appropriations to augment the insurance reserves shall then only be made either pursuant to specific authorization enacted after the date of enactment of the Overseas Private Investment Corporation Amendments Act of 1974, or to satisfy the full faith and credit provision of section 237(c).

"(g) ISSUANCE OF OBLIGATIONS.—In order to discharge liabilities under investment insurance or reinsurance, the Corporation is authorized to issue from time to time for purchase by the Secretary of the Treasury its notes, debentures, bonds, or other obligations; except that the aggregate amount of such obligations outstanding at any one time may not exceed \$100,000,000. Any such obligation shall be repaid to the Treasury within 1 year after the date of issue of such obligation. Any such obligation shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of any obligation authorized by this subsection. The Secretary of the Treasury shall purchase any obligation of the Corporation issued under this subsection, and for such purchase the Secretary may use as a public debt transaction the proceeds of the sale of any securities issued under chapter 31 of title 31, United States Code. The purpose for which securities may be issued under chapter 31 of title 31, United States Code, shall include any such purchase.

"(h) ADMINISTRATIVE EXPENSES.—Subject to spending authority provided in appropriations Acts, the Corporation is authorized to draw from its noncredit account revolving fund for the administrative costs of its direct loan and loan guarantee programs—

- "(1) \$11,000,000 for fiscal year 1993;
- "(2) \$13,000,000 for fiscal year 1994; and
- "(3) \$15,000,000 for fiscal year 1995.

"SEC. 236. INCOME AND REVENUES.

"In order to carry out the purposes of the Corporation, all revenues and income transferred to or earned by the Corporation, from its noncredit activities, shall be held by the Corporation and shall be available to carry out its purposes, including without limitation—

- "(1) payment of all expenses of the Corporation, including investment promotion expenses;
- "(2) transfers and additions to the insurance reserves maintained under section 235(d), and such other funds or reserves as the Corporation may establish, at such time and in such amounts as the Board may determine; and
- "(3) payment of dividends, on capital stock, which shall consist of and be paid from net earnings of the Corporation after payments, transfers, and additions under paragraphs (1) and (2).

"SEC. 237. GENERAL PROVISIONS RELATING TO INSURANCE AND FINANCING PROGRAM.

"(a) AGREEMENTS WITH COUNTRIES.—Insurance, guarantees, and reinsurance issued under this title shall cover investment made in connection with projects in any eligible country or area with the government of which the President of the United States has agreed to institute a program for such insurance, guarantees, or reinsurance.

"(b) PROTECTION OF INTERESTS OF THE CORPORATION.—The Corporation shall determine that suitable arrangements exist for protecting the interest of the Corporation in connection with any insurance, reinsurance, or guarantee issued under this title, including arrangements concerning ownership, use, and disposition of the currency, credits, assets, or investments on account of which payment under such insurance, guarantee, or reinsurance is to be made, and any right, title, claim, or cause of action existing in connection therewith.

"(c) FULL FAITH AND CREDIT PLEDGED.—All guarantees issued under predecessor guarantee authority, and all insurance, reinsurance, and guarantees issued under this title shall constitute obligations, in accordance with the terms of such insurance, reinsurance, or guarantees, of the United States of America, and the full faith and credit of the United States of America is hereby pledged for the full payment and performance of such obligations.

"(d) FEES.—

"(1) IN GENERAL.—Fees may be charged for providing insurance, reinsurance, financing, and other services under this title in amounts to be determined by the Corporation. In the event fees charged for insurance, reinsurance, financing, or other services are reduced, fees to be paid under existing contracts for the same type of insurance, reinsurance, financing, or services and for similar guarantees issued under predecessor guarantee authority may be reduced.

"(2) CREDIT TRANSACTION COSTS.—Project-specific transaction costs incurred by the Corporation relating to loan obligations or loan guarantee commitments covered by the provisions of the Federal Credit Reform Act of 1990, including the costs of project-related travel and expenses for legal representation provided by persons outside the Corporation and other similar expenses which are charged to the borrower, shall be paid out of the appropriate finance account established pursuant to section 505(b) of such Act.

"(3) NONCREDIT TRANSACTION COSTS.—Fees paid for the project-specific transaction costs

and other direct costs associated with services provided to specific investors or potential investors pursuant to section 233 (other than those covered in paragraph (2)), including financing, insurance, reinsurance, missions, seminars, conferences, and other preinvestment services, shall be available for obligation for the purposes for which they were collected, notwithstanding any other provision of law.

"(e) INSURANCE, GUARANTEES, AND REINSURANCE LIMITED TO 20 YEARS.—No insurance, reinsurance, or guarantee of any equity investment under this title shall extend beyond 20 years from the date on which such insurance, reinsurance, or guarantee is issued.

"(f) AMOUNT OF COMPENSATION PAID ON CLAIMS.—Compensation for any insurance, reinsurance, or guarantee issued under this title shall not exceed the dollar value, as of the date of the investment, of the investment made in the project with the approval of the Corporation plus interest, earnings, or profits actually accrued on such investment to the extent provided by such insurance, reinsurance, or guarantee, except that the Corporation may provide that—

"(1) appropriate adjustments in the insured dollar value be made to reflect the replacement cost of project assets;

"(2) compensation for a claim of loss under insurance of an equity investment may be computed on the basis of the net book value attributable to such equity investment on the date of loss; and

"(3) compensation for loss due to business interruption may be computed on a basis to be determined by the Corporation which reflects amounts lost.

Notwithstanding the preceding sentence, the Corporation shall limit the amount of direct insurance and reinsurance issued under section 233 so that risk of loss as to at least 10 percent of the total investment of the insured and its affiliates in the project is borne by the insured and such affiliates, except that this limitation shall not apply to direct insurance or reinsurance of loans by banks or other financial institutions to unrelated parties.

"(g) LIMITATION WITH RESPECT TO FOREIGN CREDIT INSTITUTIONS.—Insurance, guarantees, or reinsurance of a loan or equity investment of an eligible investor in a foreign bank, finance company, or other credit institution shall extend only to such loan or equity investment and not to any individual loan or equity investment made by such foreign bank, finance company, or other credit institution.

"(h) SETTLEMENT AND ARBITRATION OF CLAIMS.—Claims arising as a result of insurance, reinsurance, or guarantee operations under this title or under predecessor guarantee authority may be settled, and disputes arising as a result thereof may be arbitrated with the consent of the parties, on such terms and conditions as the Corporation may determine. Payment made pursuant to any such settlement, or as a result of an arbitration award, shall be final and conclusive notwithstanding any other provision of law.

"(i) CONTRACTS PRESUMED TO COMPLY WITH ACT.—Each guarantee contract executed by such officer or officers as may be designated by the Board shall be conclusively presumed to be issued in compliance with the requirements of this Act.

"(j) USE OF LOCAL CURRENCIES.—Loans, guarantees, or investments made with funds received in foreign currency by the Corporation as a result of activities conducted pursuant to section 233(a) shall not be considered in determining whether the Corporation has made or has outstanding loans, guarantees, or investments to the extent of any limitation on obligations, commitments, and equity investment imposed by or pursuant to this title. The provisions of section

504(b) of the Federal Credit Reform Act of 1990 shall not apply to direct loan obligations or loan guarantee commitments made with funds described in this subsection.

"SEC. 238. GENERAL PROVISIONS AND POWERS.

"(a) PRINCIPAL OFFICE.—The Corporation shall have its principal office in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be a resident of the District of Columbia.

"(b) AUDITS.—

"(1) IN GENERAL.—The Corporation shall be subject to the applicable provisions of chapter 91 of title 31, United States Code, except as otherwise provided in this title.

"(2) INDEPENDENT AUDIT.—An independent certified public accountant shall perform a financial and compliance audit of the financial statements of the Corporation each year, in accordance with generally accepted Government auditing standards for a financial and compliance audit, taking into consideration any standards recommended by the Comptroller General. The independent certified public accountant shall report the results of such audit to the Board. The financial statements of the Corporation shall be presented in accordance with generally accepted accounting principles. These financial statements and the report of the accountant shall be included in a report which contains, to the extent applicable, the information identified in section 9106 of title 31, United States Code, and which the Corporation shall submit to the Congress not later than 6½ months after the end of the last fiscal year covered by the audit. The Comptroller General may review the audit conducted by the accountant and the report to the Congress in the manner and at such times as the Comptroller General considers necessary.

"(3) AUDIT BY COMPTROLLER GENERAL.—In lieu of the financial and compliance audit required by paragraph (2), the Comptroller General shall, if the Comptroller General considers it necessary or upon the request of the Congress, audit the financial statements of the Corporation in the manner provided in paragraph (2).

"(4) AVAILABILITY OF INFORMATION.—All books, accounts, financial records, reports, files, workpapers, and property belonging to or in use by the Corporation and the accountant who conducts the audit under paragraph (2), which are necessary for purposes of this subsection, shall be made available to the representatives of the General Accounting Office designated by the Comptroller General.

"(c) POWERS.—To carry out the purposes of this title, the Corporation is authorized—

"(1) to adopt and use a corporate seal, which shall be judicially noticed;

"(2) to sue and be sued in its corporate name;

"(3) to adopt, amend, and repeal bylaws governing the conduct of its business and the performance of the powers and duties granted to or imposed upon it by law;

"(4) to acquire, hold, or dispose of, upon such terms and conditions as the Corporation may determine, any property, real, personal, or mixed, tangible or intangible, or any interest therein;

"(5) to invest funds derived from fees and other revenues in obligations of the United States and to use the proceeds therefrom, including earnings and profits, as it considers appropriate;

"(6) to indemnify directors, officers, employees, and agents of the Corporation for liabilities and expenses incurred in connection with their Corporation activities;

"(7) to require bonds of officers, employees, and agents and to pay the premiums therefor;

"(8) notwithstanding any other provision of law, to represent itself or to contract for representation in all legal and arbitral proceedings;

"(9) to purchase, discount, rediscount, sell, and negotiate, with or without its endorsement or guarantee, and guarantee notes, participation certificates, and other evidence of indebtedness (except that the Corporation shall not issue its own securities, except participation certificates for the purpose of carrying out section 231(c)(3) or participation certificates as evidence of indebtedness held by the Corporation in connection with settlement of claims under section 237(h));

"(10) to make and carry out such contracts and agreements as are necessary and advisable in the conduct of its business;

"(11) to exercise any priority of the Government of the United States in collecting debts from the estates of bankrupt, insolvent, or decedent parties;

"(12) to determine the character of and the necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid, subject to provisions of law specifically applicable to Government corporations;

"(13) to collect or compromise any obligations assigned to or held by the Corporation, including any legal or equitable rights accruing to the Corporation; and

"(14) to take such actions as may be necessary or appropriate to carry out the powers of the Corporation.

"(d) EXEMPTION FROM STATE AND LOCAL TAXATION.—The Corporation (including its franchise, capital, reserves, surplus, advances, intangible property, and income) shall be exempt from all taxation at any time imposed by any State, the District of Columbia, or any county, municipality, or local taxing authority.

"(e) CORPORATE OPERATIONAL GUIDELINES.—The Corporation—

"(1) shall establish and publish guidelines for its programs and operations consistent with the provisions of this title, and

"(2) shall make such guidelines available to applicants for insurance, reinsurance, financing, or other assistance provided by the Corporation.

The provisions of this title shall be controlling with respect to the Corporation's programs and operations.

"SEC. 239. ANNUAL REPORT; MAINTENANCE OF INFORMATION.

"(a) ANNUAL REPORT.—After the end of each fiscal year, the Corporation shall submit to the Congress a complete and detailed report of its operations during such fiscal year. Such report shall include—

"(1) an assessment, based upon the development impact profiles required by section 234(a), of the economic and social development impact and benefits of the projects with respect to which such profiles are prepared, and of the extent to which the operations of the Corporation complement or are compatible with the development assistance programs of the United States and other donors; and

"(2) a description of any project for which the Corporation—

"(A) refused to provide any insurance, reinsurance, financing, or other financial support, on account of violations of human rights referred to in section 234(e); or

"(B) notwithstanding such violations, provided such insurance, reinsurance, financing, or financial support, on the basis of a determination that—

"(i) the exception set forth in section 116(a) applies, or

"(ii) the national security interest so requires.

"(b) PROJECTIONS OF EFFECTS ON EMPLOYMENT.—

"(1) IN GENERAL.—Each annual report required by subsection (a) shall contain projections of the effects on employment in the United

States of all projects for which, during the fiscal year covered by the report, the Corporation initially issued any insurance or reinsurance or provided financing. Each such report shall include projections of—

"(A) the amount of United States exports to be generated by those projects, both during the start-up phase and over a period of years;

"(B) the final destination of the products to be produced as a result of those projects; and

"(C) the impact such production will have on the production of similar products in the United States with regard to both domestic sales and exports.

"(2) INFORMATION IN AGGREGATE FORM.—The projections required by this subsection shall be based on an analysis of each of the projects described in paragraph (1). Such projections may, however, present information and analysis in aggregate form, but only if—

"(A) those projects which are projected to have a positive effect on employment in the United States and those projects which are projected to have a negative effect on employment in the United States are grouped separately; and

"(B) there is set forth for each such grouping the key characteristics of the projects within that grouping, including the number of projects in each economic sector, the countries in which the projects in each economic sector are located, and the projected level of the impact of the projects in each economic sector on employment in the United States and on United States trade.

"(c) MAINTENANCE OF INFORMATION.—The Corporation shall maintain as part of its records—

"(1) all information collected in preparing the report required by section 240A(c) of the Foreign Assistance Act of 1961 (as in effect before the enactment of the Overseas Private Investment Corporation Amendments Act of 1988), whether the information was collected by the Corporation itself or by a contractor; and

"(2) a copy of the analysis of each project analyzed in preparing the projections required by subsection (b) of this section or the report required by section 240A(c) of this Act (as in effect before the enactment of the Overseas Private Investment Corporation Amendments Act of 1988).

"(d) PROGRAMS OF COOPERATION WITH PRIVATE INDUSTRY.—Each annual report required by subsection (a) shall include an assessment of programs implemented by the Corporation under section 233(f)(6), including the following information, to the extent such information is available to the Corporation:

"(1) The nature and dollar value of political risk insurance provided by private insurers in conjunction with the Corporation, which the Corporation was not permitted to provide under this title.

"(2) The nature and dollar value of political risk insurance provided by private insurers in conjunction with the Corporation, which the Corporation was permitted to provide under this title.

"(3) The manner in which such private insurers and the Corporation cooperated in recovery efforts and claims management.

"(e) PROTECTION OF CERTAIN INFORMATION.—Subsections (b) and (d) do not require the inclusion in any information submitted pursuant to those subsections of any information which would not be required to be made available to the public pursuant to section 552 of title 5, United States Code (relating to freedom of information).

"SEC. 240. DEFINITIONS.

"As used in this title, the following terms have the following meanings:

"(1) BOARD.—The term 'Board' means the Board of Directors of the Overseas Private Investment Corporation.

"(2) CORPORATION.—The term 'Corporation' means the Overseas Private Investment Corporation.

"(3) ELIGIBLE INVESTOR.—(A) The term 'eligible investor' means—

"(i) a United States citizen;

"(ii) a corporation, partnership, or other association, including a nonprofit association, which is created under the laws of the United States, any State, the District of Columbia, or any commonwealth, territory, or possession of the United States, and which is substantially beneficially owned by United States citizens; and

"(iii) a foreign corporation, partnership, or other association which is wholly owned by one or more United States citizens or corporations, partnerships, or other associations described in clause (ii), except that the eligibility of any such foreign corporation shall be determined without regard to any shares held by other than United States citizens or corporations, partnerships, or other associations described in clause (ii) if, in the aggregate, such shares equal less than 5 percent of the total issued and subscribed share capital of such foreign corporation.

"(B) For purposes of this title—

"(i) in the case of insurance or a guarantee for any loan investment, a final determination of whether a person is an eligible investor may be made at the time the insurance or guarantee is issued; and

"(ii) in the case of insurance or a guarantee for any other investment, an investor must be an eligible investor at the time a claim arises as well as the time the insurance or guarantee is issued.

"(4) EXPROPRIATION.—The term 'expropriation' includes any abrogation, repudiation, or impairment by a foreign government of its own contract with an investor with respect to a project, where such abrogation, repudiation, or impairment is not caused by the investor's own fault or misconduct, and materially adversely affects the continued operation of the project.

"(5) INVESTMENT.—The term 'investment' includes any contribution or commitment of funds, commodities, services, patents, processes, or techniques, in the form of—

"(A) a loan or loans to an approved project,

"(B) the purchase of a share of ownership in any such project,

"(C) participation in royalties, earnings, or profits of any such project, or

"(D) the furnishing of commodities or services pursuant to a lease or other contract.

"(6) NONCREDIT ACCOUNT REVOLVING FUND.—The term 'noncredit account revolving fund' means the account in which funds under section 236 and all funds from noncredit activities are held.

"(7) NONCREDIT ACTIVITIES.—The term 'noncredit activities' means all activities of the Corporation other than its loan guarantee program under section 233(b) and its direct loan program under section 233(c).

"(8) PREDECESSOR GUARANTEE AUTHORITY.—The term 'predecessor guarantee authority' means prior guarantee authorities (other than housing guarantee authorities) repealed by the Foreign Assistance Act of 1969, section 202(b) and 413(b) of the Mutual Security Act of 1954, and section 111(b)(3) of the Economic Cooperation Act of 1948, (exclusive of authority relating to informational media guarantees).

"(b) CONFORMING AMENDMENT.—Section 222(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2182(a)) is amended by striking "238(c)" in the first sentence and inserting "240(3)".

The CHAIRMAN. Are there any amendments to title I?

AMENDMENT OFFERED BY MR. GEJDENSON

Mr. GEJDENSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GEJDENSON: Page 43, strike lines 9 through 19 and insert the following:

"(j) USE OF LOCAL CURRENCIES.—Direct loans or investments made in order to preserve the value of funds received in inconvertible foreign currency by the Corporation as a result of activities conducted pursuant to section 233(a) shall not be considered in determining whether the Corporation has made or has outstanding loans or investments to the extent of any limitation on obligations and equity investment imposed by or pursuant to this title. The provisions of section 504(b) of the Federal Credit Reform Act of 1990 shall not apply to direct loan obligations made with funds described in this subsection.

Mr. GEJDENSON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. GEJDENSON. Mr. Chairman, this is a noncontroversial technical amendment that clarifies the language in the bill to make it acceptable both to the CBO and the House Committee on the Budget. This new language was approved by both offices.

The amendment clarifies language in the bill to permit OPIC to make loans and investments with local currency in the event that OPIC receives uncontroversial foreign currency as a repayment for a loan or investment.

The CHAIRMAN. Is there any further debate on the amendment?

Mr. GEJDENSON. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. JEFFERSON) having assumed the chair, Mr. KANJORSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 4996) to extend the authorities of the Overseas Private Investment Corporation, and for other purposes, had come to no resolution thereon.

□ 1240

CONGRATULATIONS TO AMERICA'S EXPORTING COMPANIES

(Mr. BEREUTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BEREUTER. Mr. Speaker, for my export 1-minute today, I would like to praise and provide a list of those U.S. companies which have taken the lead in exporting U.S. products overseas.

Mr. Speaker, this month's World Trade magazine lists the United States top 100 exporters. These companies create jobs and opportunity in each and every State by producing quality prod-

ucts and then aggressively selling them in foreign markets. These companies prove that in many sectors, including manufacturing, the United States remains quite competitive provided that creative ideas are backed up by hard work, motivation, and the tenacity to penetrate tough foreign markets.

Mr. Speaker, these companies are selling in markets which have proved formidable to U.S. exports and how have they succeeded? AST Research, in Irvine, CA, for example, sells computer hardware in Japan by producing a keyboard that switches from the English to Japanese alphabet with the flip of a switch. Avoiding vertical retail restraints, the company sells directly to Japanese companies.

Mr. Speaker, in my home State of Nebraska, two companies have proven the value of exports to this Nation's economy by selling computer software and irrigation equipment to countries in Latin America, Eastern and Western Europe. Last February, the country posted its smallest trade deficit in 9 years partly because of the efforts of companies like Valmont Industries in Valley, NE and Applied Communications, an Omaha-based distributor of computer software to foreign banks.

Mr. Speaker, this Member would like to congratulate those companies which greatly helped this Nation's economy in one of its more difficult times. In the last 5 years, exports have outpaced our country's economic performance by growing three times as fast as the gross domestic product thanks to companies like Valmont and Applied Communications—two Nebraska exporters. The names of America's best 100 export companies are, according to the June 1992 issue of World Trade, as follows:

Acme Manufacturing Co., Madison Heights, MI.

ABB Process Automation, Columbus, OH.
Allen-Edmonds Shoe Corp., Port Washington, WI.

Anslu Fire Protection, Marinette, WI.
Applied Communications, Omaha, NE.
Aquathin Corp., Ft. Lauderdale, FL.
Artmor Plastics Corp., Cumberland, MD.
AST Research, Inc., Irvine, CA.

AVTECH Corp., Seattle, WA.
Baldor Electric Corp., Fort Smith, AR.
Baltimore Aircoil Co., Jessup, MD.
Bel Art Products, Pequannock, NJ.

Beltwall Division of Beltservice Corp., Earth City, MO.

Benfield Electric International Ltd., White Plains, NY.

Bentley World Packaging, Milwaukee, WI.
Bird Products Corp., Solon, OH.
Bison Instruments, Inc., Minneapolis, MN.
Boca Research, Inc., Boca Raton, FL.

Broussard Cane Equipment, Park, LA.
Bruce Foods Corp., New Iberia, LA.
Cincinnati Bell, Inc., Cincinnati, OH.
Coated Products (Div. of Donnelly), Holland, MI.

CORE International, Inc., Boca Raton, FL.
Corhart Refractories Corp., Louisville, KY.
Critikon, Inc., Tampa, FL.
Crown Iron Works, Minneapolis, MN.

C-Tec Inc., Grand Rapids, MI.
Cybex (Division of Lumex Corp.), Ronkonkoma, NY.

Distributed Processing Technology, Maitland, FL.

Drillers Supply, Inc., Houston, TX.
Energy Absorption Systems, Chicago, IL.
Engineered Systems (Div. Square D), Tempe, AZ.

Farm Fans, Inc., Indianapolis, IN.
Foster Needle Co., Inc., Manitowoc, WI.
Gates Rubber Co., Denver, CO.
Gilian Instrument Corp., West Caldwell, NJ.

Greenville Machinery Corp., Greer, SC.
Gribetz International, Inc., Sunrise, FL.
Gundie Lining Systems, Inc., Houston, TX.
Hallmark Sales Corp., Houston, TX.
Harbison-Walker Refractories, Pittsburgh, PA.

Hartness International, Greenville, NC.
Hipotronics, Inc., Brewster, NY.
Hypotherm, Inc., Hanover, NH.
Igloo Product Corp., Houston, TX.

IMSL, Inc., Houston, TX.
Industrial Tool Div./Dresser Industries, Houston, TX.

International Game Technology, Reno, NV.
Interstate Engineering, Anaheim, CA.
ITT Rayonier, Inc., Stamford, CT.

James Clem Corp., Chicago, IL.
Jet Spray International Corp., Norwood, MA.

Karsten Manufacturing Corp., Phoenix, AZ.

Lawson-Hemphill, Inc., Central Falls, RI.
Legent Corp., Vienna, VA.
Li'l Orbits, Minneapolis, MN.

Lincoln Foodservice Products, Inc., Fort Wayne, IN.

Luber-Finer, Inc., Dallas, TX.
Mathews International Trading Co., Pittsburgh, PA.

Mayer Industries, Inc., Orangeburg, SC.
Mechanical Dynamics, Inc., Ann Arbor, MI.

Micromeritics Instruments Corp., Norcross, GA.

Miner Enterprises, Inc., Geneva, IL.
Morgen Manufacturing Co., Yankton, SD.

Narge Company (Div. of Sybron Co.), Rochester, NY.

Newtex Industries, Inc., Victor, NY.
Nooter Corp., St. Louis, MO.

Nordson Corp., Westlake, OH.
Octocom Systems, Inc., Wilmington, MA.

Orbit Valve International, Inc., Little Rock, AR.

Original Mink Oil, Inc., Portland, OR.
Ohsman & Sons Co., Inc., Cedar Rapids, IA.

Performance Chemicals Group, Pittsburgh, PA.

Pharmaceutical Innovations, Inc., Newark, NJ.

Pierce Chemical Co., Rockford, IL.
Plymouth Product Division/Ametek, Sheboygan, WI.

Pressure Systems, Inc., Hampton, VA.
Process Systems, Inc., Charlotte, NC.

Products Finishing Corp., Brooklyn, NY.
Purafil, Inc., Doraville, GA.

Redcom Laboratories, Inc., Victor, NY.
Rich Lumber Co., Inc., Beardstown, IL.

Rogers N.K. Seed Co., Boise, ID.
Roy J. Maier Products Div. of Nova Int'l, Sun Valley, CA.

SAS Institute, Inc., Cary, NC.
Satellite Industries, Inc., Minneapolis, MN.

Savage Universal Corp., Tempe, AZ.
SGS Tool Co., Monroe Falls, OH.

Shuford Mills, Inc./Tape Division, Hickory, NC.

Spectra-Physics, Dayton, OH.
Stein, Inc., Sandusky, OH.

Syntellect, Inc., Phoenix, AZ.
Systems Center Inc., Reston, VA.

Tecumseh Products Co./Int'l Div., Tecumseh, MI.

Thoro, Inc., Statesville, NC.
Valley Recreation Products, Bay City, MI.
Valmont Industries, Inc., Valley, NE.
Water-Jel Technologies, Inc., Carlstadt, NJ.
Vermeer Manufacturing Co., Pella, IA.
Wahl Clipper Corp., Sterling, IL.

□ 2330

NATIONAL ENDOWMENT FOR THE ARTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska [Mr. BEREUTER] is recognized for 5 minutes.

Mr. BEREUTER. Mr. Speaker, on April 27, 1992, this Member spoke with the Acting Chairman of the National Endowment for the Arts [NEA], Dr. Anne-Imelda Radice, in my office at a requested visit regarding concerns about Federal funding for the NEA. Dr. Radice said then that she intends to be much more involved in the grant process than the previous chairman and that it is her intention not to allow Federal funding for pornographic or obscene works.

Over the years a great number of Nebraskans have encouraged this Member to be supportive of the excellent programs and grant activities of the National Endowment for the Arts—with the exception of various objectionable works produced in the past few years. In rural and nonmetropolitan areas of states like Nebraska, the NEA provides state and local sponsors the opportunity to bring valuable arts programs and literature to millions of people who would not otherwise have access to art and art education. This is the most valuable aspect of the NEA's program.

However, this Member believes, strongly, that if public funds are used for art programs, the public has the right to set reasonable decency standards for that art—standards preventing the production of pornography and obscenity through such funds. Sometimes a few artists who have applied for grants deceived the Endowment about the content of the work to be done with the grant. This is a difficult problem for the NEA, but the Endowment must be able to discern those who would deceive them, and, of course, to cut off funding for anyone who violates or abuses their rules and standards.

No one is entitled to public funds for arts. If a person wants to create art or literature, under the Constitution they have the right to create whatever they want—but they are not guaranteed the right to do so with public funds. Once public funds are involved, the recipient has the responsibility to adhere to the public's standards. This is not censorship.

The controversy surrounding the Endowment continues. It is all too apparent that a small number of people and organizations are trying to distort the

grant award process by pushing for the right to produce obscene or pornographic works with public funds. In the process they may destroy a legitimate program that benefits many people. Now Congress has to wrestle with the problem of whether or not we can encourage the arts in this country without having a few people pervert this use of public funds.

Dr. Radice seems to be addressing the concerns discussed during our April meeting by her actions in the past few months. However, it seems that the national media is giving her difficulties because of the media's liberal bent.

Mr. Speaker, this Member would like to commend an editorial from the heartland of America to my colleagues. It is found in the Omaha World-Herald of June 3, 1992, and I include it in the record at this point:

A LOGICAL CHOICE FOR ARTS CHAIRMAN

Judging from her approach as acting chairman of the National Endowment for the Arts, Anne-Imelda Radice may be a logical candidate for the post of permanent chairman.

Unlike the previous chairman, John Frohnmeyer, who defended subsidies for projects even though they were obscene or blasphemous, Miss Radice draws a clear and sensible line. She defends an artist's right to pursue his artistic vision without being censored. But she points out that some kinds of "art" are too narrowly focused, too offensive to the general public's standards of taste and decency to deserve the national recognition that implicitly comes with a grant from the endowment.

She didn't say such projects shouldn't be produced. She said the government shouldn't subsidize them.

Now that Miss Radice has imposed a standard of taste, some people are accusing her of being against "sexually explicit art" and, in the words of one critic, of cutting "a wide swath through Western art from the time of the ancient Greeks."

Some of the projects Miss Radice has rejected for grants have subsequently received private funding. That option should remain. The government isn't the only patron of the arts, nor should it be.

But so long as the government chooses to remain a patron, the stewards of the public's money should have the option of applying some standard to the art they choose to subsidize.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HOAGLAND (at the request of Mr. GEPHARDT), for today between 6 p.m. and 7 p.m., on account of important family business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BEREUTER) to revise and extend their remarks and include extraneous material:)

Mr. BEREUTER, for 5 minutes, today.

Mr. BROOMFIELD, for 60 minutes, on June 24.

(The following Members (at the request of Mr. KANJORSKI) to revise and extend their remarks and include extraneous material:)

Mr. COLORADO, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. ALEXANDER, to include extraneous material on H.R. 5373 in the Committee of the Whole today.

(The following Members (at the request of Mr. BEREUTER) and to include extraneous matter:)

Mr. JOHNSON of Texas.

Mr. FIELDS

Mr. MCDADE.

Mr. GALLEGLY.

Mr. BEREUTER.

Mr. BURTON of Indiana.

Mr. STUMP.

Mr. GUNDERSON.

Mrs. MEYERS of Kansas.

Mr. LAGOMARSINO.

Mr. YOUNG of Florida.

Mr. BROOMFIELD.

Mr. EMERSON.

Ms. ROS-LEHTINEN.

Mr. CRANE.

(The following Members (at the request of Mr. KANJORSKI) and to include extraneous matter:

Mr. HOYER.

Mr. SCHEUER.

Mr. DOWNEY.

Mr. PENNY.

Mr. WOLPE.

Mr. DE LUGO.

Mrs. LOWEY of New York.

Mr. SCHUMER.

Mr. LANTOS.

Mr. ROE.

Mr. TOWNS.

Mr. WEISS in two instances.

Mr. YATRON.

Mr. HAMILTON in two instances.

Mr. NEAL of Massachusetts.

Mr. KILDEE in two instances.

Mr. KLECZKA.

Mr. CLEMENT in two instances.

Mr. HOAGLAND.

Mr. STARK.

Mr. McNULTY.

Mr. COLORADO.

Mr. ACKERMAN.

Mr. ROEMER.

Mr. ERDREICH.

SENATE BILLS REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 310. Joint resolution to designate August 1, 1992, as "Helsinki Human Rights Day"; to the Committee on Foreign Affairs and Post Office and Civil Service.

ADJOURNMENT

Mr. BEREUTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 36 minutes p.m.), the House adjourned until Thursday, June 18, 1992, at 10 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3763. A letter from the Assistant Administrator for Legislative Affairs, International Development Cooperation Agency, transmitting a summary of activities proposed for funding in Peru during Fiscal Year 1992, pursuant to 22 U.S.C. 2151u(e); to the Committee on Foreign Affairs.

3764. A letter from the Secretary of Labor, transmitting the semiannual report of the Pension Benefit Guaranty Corporation's results of audits conducted by the Office of Inspector General, pursuant to Public Law 95-452, section 8E(h)(2) (102 Stat. 2525); to the Committee on Government Operations.

3765. A letter from the chairman, Board for International Broadcasting, transmitting the semiannual report of the Office of the Inspector General for the period October 1, 1991, through March 31, 1992, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3766. A letter from the Director, Office of Management and Budget, transmitting a report on activities under the Freedom of Information Act during calendar year 1991, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3767. A communication from the President of the United States, transmitting notification that the designations of Don E. Newquist as Chairman and Peter S. Watson as Vice Chairman of the U.S. International Trade Commission, are effective June 17, 1992, pursuant to 19 U.S.C. 1330(c)(1); to the Committee on Ways and Means.

3768. A letter from the Office of Management and Budget, transmitting the 16th report on U.S. costs in the Persian Gulf conflict and foreign contributions to offset such costs, pursuant to Public Law 102-25, section 401 (105 Stat. 99); jointly, to the Committees on Armed Services and Foreign Affairs.

3769. A letter from the Acting General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize the transfer of four naval vessels to the Government of Greece; jointly, to the Committees on Foreign Affairs and Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASPIN: Committee on Armed Services. H.R. 5095. A bill to authorize appropriations for fiscal year 1993 for intelligence and intelligence-related activities of the U.S. Government and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. 102-544, Pt. 2) Referred

to the Committee of the Whole House on the State of the Union.

Mr. WHITTEN: Committee of Conference. Conference report on H.R. 5132 (Rept. 102-577). Ordered to be printed.

Mr. DERRICK: Committee on Rules. House Resolution 491. Resolution providing for the consideration of the conference report and amendments reported from conference in disagreement on the bill (H.R. 5132) making direct emergency supplemental appropriations for disaster assistance to meet urgent needs because of calamities such as those which occurred in Los Angeles, and Chicago, for the fiscal year ending September 30, 1992, and for other purposes (Rept. 102-578). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FASCELL (for himself and Mr. BROOMFIELD) (both by request):

H.R. 5412. A bill to authorize the transfer of certain naval vessels to Greece and Taiwan; to the Committee on Foreign Affairs.

By Mr. DE LUGO (for himself, Mr. MILLER of California, Mr. WAXMAN, Mr. RANGEL, Mr. COLORADO, Mr. FALEOMAVAEGA, and Mr. BLAZ):

H.R. 5413. A bill to amend the Social Security Act to increase the maximum amount of Federal medical assistance available to American Samoa, Guam, Puerto Rico, and the Virgin Islands under the Medicaid Program and to increase the Federal medical assistance percentage for those U.S. insular areas to 75 percent; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. FAZIO (for himself and Mr. MATSUI):

H.R. 5414. A bill to authorize the Secretary of the Army to carry out a project for flood control and recreation on the Sacramento and American Rivers, CA; jointly, to the Committees on Public Works and Transportation and Interior and Insular Affairs.

By Mr. HANSEN:

H.R. 5415. A bill to establish the Canyons of the Escalante National Conservation Area, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. LOWEY of New York:

H.R. 5416. A bill to amend section 8 of the United States Housing Act of 1937 to give preference in the provision of rental assistance under such section to individuals who are unable to return to their homes upon discharge from a hospital or nursing home because of a physical or mental impairment; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MCMLLEN of Maryland:

H.R. 5417. A bill to facilitate the employment of separated members of the Armed Forces by law enforcement agencies; to the Committee on Armed Services.

By Mr. OLIN:

H.R. 5418. A bill to amend the Appalachian Regional Development Act of 1965 to include Roanoke and Rockbridge, VA, as part of the Appalachian region; to the Committee on Public Works and Transportation.

By Mr. STUDDS (for himself, Mrs. BOXER, Mr. GOSS, and Mrs. SCHROEDER):

H.R. 5419. A bill to amend the Marine Mammal Protection Act of 1972 to authorize the Secretary of State to enter into inter-

national agreements to establish a global moratorium to prohibit harvesting of tuna through the use of purse seine nets deployed on or to encircle dolphins or other marine mammals, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WEISS:

H.R. 5420. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of cooperative housing corporations; to the Committee on Ways and Means.

By Mr. ALLEN (for himself, Mr. ROHRBACHER, Mr. RIGGS, Mr. SANTORUM, Mr. TRAFICANT, Mr. BLILEY, Mr. GINGRICH, Mr. GOODLING, Mr. JOHNSON of Texas, Mr. ARMEY, and Mr. DELAY):

H.R. 5421. A bill to limit U.S. contributions to the United Nations Development Program; to the Committee on Foreign Affairs.

By Mr. BENNETT:

H.R. 5422. A bill to repeal section 201(d) of the act of February 16, 1988, authorizing the Secretary of the Interior to preserve certain wetlands and historic and prehistoric sites in the St. Johns River Valley, FL, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GEJDESEN (for himself, Ms. DELAUNO, and Mrs. KENNELLY):

H.R. 5423. A bill to establish the Quinebaug and Shetucket Rivers Valley National Heritage Corridor; to the Committee on Interior and Insular Affairs.

By Mr. PORTER:

H.R. 5424. A bill to establish a Commission on Environment and Development to the Committee on Foreign Affairs.

By Mr. RANGEL:

H. Con. Res. 333. Concurrent resolution concerning the crisis in Haiti; to the Committee on Foreign Affairs.

By Mr. WYLIE:

H. Res. 490. Resolution relating to the enforcement of United Nations Security Council resolutions calling for the cessation of hostilities in the former territory of Yugoslavia; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

486. By the SPEAKER: Memorial of the Legislature of the State of California, relative to reclaimed water feasibility study; to the Committee on Interior and Insular Affairs.

487. Also, memorial of the General Assembly of the State of New Jersey, relative to ocean waters east of Cape May; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND
RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. STUDDS:

H.R. 5425. A bill to authorize issuance of a certificate of documentation for employment in the coastwise trade of the United States for the vessel *High Calibre*; to the Committee on Merchant Marine and Fisheries.

By Mr. WILLIAMS:

H.R. 5426. A bill for the relief of Bear Claw Tribe, Inc. to the Committee on the Judiciary.

H. Res. 492. Resolution referring the bill (H.R. 5426) for the relief of Bear Claw Tribe,

Inc., to the chief judge of the U.S. Claims Court; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. POSHARD, Mr. NEAL of North Carolina, Mr. RITTER, and Mr. GINGRICH.
H.R. 25: Mr. McMILLEN of Maryland and Mr. ROSE.
H.R. 134: Mr. VISCLOSKEY.
H.R. 785: Mr. DOWNEY and Ms. PELOSI.
H.R. 962: Mr. EVANS.
H.R. 1049: Mr. MOAKLEY.
H.R. 1067: Mrs. MEYERS of Kansas.
H.R. 1218: Mr. KOPETSKI.
H.R. 1472: Mr. MINETA.
H.R. 1536: Mr. NEAL of Massachusetts.
H.R. 1554: Mr. AUCCOIN.
H.R. 1566: Mr. MARKEY and Mr. MATSUI.
H.R. 1624: Mr. WILLIAMS.
H.R. 1809: Mr. McMILLAN of North Carolina.
H.R. 1969: Mr. RANGEL, Mr. BERMAN, Mr. BACCHUS, and Mr. NEAL of Massachusetts.
H.R. 2106: Mr. HOAGLAND and Mr. SAVAGE.
H.R. 2410: Mr. DANNEMEYER and Mr. FIELDS.
H.R. 2766: Mr. SABO.
H.R. 2782: Ms. LONG, Mrs. KENNELLY, Mr. DINGELL, Mr. MCHUGH, Mr. COLEMAN of Texas, and Mr. MRAZEK.
H.R. 2854: Mr. MCCLOSKEY.
H.R. 2862: Mrs. COLLINS of Illinois, Mr. BE-REUTER, Mr. JEFFERSON, and Mr. SIKORSKI.
H.R. 3164: Ms. MOLINARI.
H.R. 3166: Mr. CRAMER, Mr. BONIOR, Ms. SLAUGHTER, and Mr. MANTON.
H.R. 3236: Mr. ATKINS and Mr. AUCCOIN.
H.R. 3285: Mr. GUARINI.
H.R. 3562: Mr. MATSUI and Mr. DOWNEY.
H.R. 3571: Mr. SANGMEISTER.
H.R. 3598: Mr. PAXON.
H.R. 3736: Mr. KILDEE and Mr. BOUCHER.
H.R. 3801: Mr. HUTTO and Mr. LAGOMARSINO.
H.R. 3826: Mrs. BOXER, Mr. DICKS, Mr. ERDREICH, Mr. FISH, Mr. JACOBS, Mr. JOHNSON of South Dakota, Mr. PANETTA, Mr. SANGMEISTER, Mr. SCHIFF, and Mr. BORSKI.
H.R. 3943: Mr. MAVROULES.
H.R. 4025: Mr. PORTER.
H.R. 4044: Mr. PANETTA.
H.R. 4045: Mr. SWETT and Mr. PEASE.
H.R. 4166: Mr. TAYLOR of North Carolina.
H.R. 4271: Mr. OBERSTAR and Mrs. LOWEY of New York.
H.R. 4305: Mr. HUNTER, Mr. PACKARD, and Mr. PORTER.
H.R. 4316: Mrs. JOHNSON of Connecticut, Mr. PAYNE of New Jersey, and Mr. HUGHES.
H.R. 4401: Mr. PRICE, Mr. UPTON, Mr. RHODES, Mr. EDWARDS of Texas, Mr. FEIGHAN, Mr. GORDON, Mr. ANDREWS of New Jersey, Mr. GALLO, and Mr. MAZZOLI.
H.R. 4405: Mr. NEAL of Massachusetts, Mr. ECKART, and Mr. PAYNE of New Jersey.
H.R. 4457: Mr. HOCHBRUECKNER and Mr. WEISS.
H.R. 4502: Mr. MCCURDY, Mr. LANCASTER, Mr. RAY, Mr. FALLONE, Ms. OAKAR, Mr. DORNAN of California, Mr. MCGRATH, Mr. WALSH, Mr. CONNIT, Mr. TAYLOR of Mississippi, Mr. BUSTAMANTE, Mr. BARNARD, Mr. LAUGHLIN, Mr. FROST, Mr. SHAYS, Mr. ATKINS, and Mr. BONIOR.
H.R. 4507: Mr. CAMPBELL of California, Ms. SNOWE, and Mr. BRUCE.
H.R. 4520: Mr. MCNULTY.
H.R. 4591: Mr. McMILLEN of Maryland.
H.R. 4595: Ms. HORN and Mr. EMERSON.

H.R. 4821: Ms. MOLINARI, Mr. SMITH of New Jersey, Mr. ROGERS, Mr. KLUG, Mrs. MORELLA, Mr. BROWN, Mr. MACHTELEY, Mr. BILIRAKIS, Mr. MCCOLLUM, Mr. HERGER, Mr. ANTHONY, Mr. LEWIS of California, Mr. FRANKS of Connecticut, Mr. WEBER, Mr. CALLAHAN, Mrs. ROUKEMA, Mr. BENNETT, Mr. BURTON of Indiana, Mr. VANDER JAGT, Mr. EMERSON, Mr. HUTTO, Mr. RAMSTAD, Mr. LEWIS of Florida, Mr. PETRI, Mr. SENSENBRENNER, Mr. DWYER of New Jersey, Mr. DUNCAN, Mr. KYL, Mr. JOHNSTON of Florida, Mr. SMITH of Oregon, Mr. HORTON, Mr. KILDEE, Mr. FAWELL, Mr. TRAFICANT, Mr. NEAL of Massachusetts, Mr. ERDREICH, Mr. CUNNINGHAM, Mr. LEACH, Mr. MARLENEE, Mr. BAKER, Mr. NOWAK, Mr. POSHARD, Mr. COBLE, Mr. TAYLOR of North Carolina, Mr. ANDREWS of New Jersey, and Mr. QUILLLEN.
H.R. 4884: Mr. SCHEUER and Mr. MOLLOHAN.
H.R. 4895: Mr. MACHTELEY.
H.R. 4909: Mr. YOUNG of Alaska, Mr. RAHALL, Mr. HAYES of Louisiana, and Mr. GILMAN.
H.R. 4910: Mr. SCHIFF, Mr. BERMAN, Mr. JEFFERSON, Mr. TOWNS, Mr. FRANK of Massachusetts, and Mrs. UNSOELD.
H.R. 4928: Mr. STUMP, Mr. SCHIFF, Mr. RHODES, and Mr. KYL.
H.R. 4980: Mr. TALLON.
H.R. 5013: Mr. FALEOMAVAEGA.
H.R. 5014: Mr. BARRETT.
H.R. 5034: Mrs. COLLINS of Illinois and Mr. PERKINS.
H.R. 5126: Mr. BOUCHER, Mr. CHAPMAN, Mr. DELLUMS, Mr. ESPY, Mr. LAUGHLIN, Mr. PANETTA, Mr. SARPALIS, Mr. STAGGERS, Mr. TAUZIN, Mrs. COLLINS of Illinois, Mrs. COLLINS of Michigan, Mr. DYMALLY, Mr. WASHINGTON, Mr. BROOKS, Mr. CLINGER, Mr. EDWARDS of Texas, Mr. HOYER, Mr. MCCURDY, Mr. PICKETT, Mr. SMITH of Texas, Mr. STENHOLM, and Mr. BLACKWELL.
H.R. 5150: Mr. LAFALCE, Mr. LENT, Mr. HAYES of Illinois, Mrs. VUCANOVICH, Mr. BATEMAN, Mr. SCHEUER, and Mr. RIGGS.
H.R. 5201: Mr. FROST, Mr. ATKINS, and Ms. NORTON.
H.R. 5206: Mr. GORDON, Mr. KOPETSKI, Mr. TOWNS, and Mr. JEFFERSON.
H.R. 5208: Mr. MFUME and Mr. CAMPBELL of Colorado.
H.R. 5237: Mr. BONIOR, Mr. JACOBS, Mr. BE-REUTER, and Mr. CARR.
H.R. 5238: Mr. SKELTON, Mr. HAYES of Louisiana, and Mr. GUNDERSON.
H.R. 5240: Mr. BURTON of Indiana, Mr. DAVIS, Mr. CHAPMAN, Mr. LOWERY of California, Mr. CAMPBELL of Colorado, Mr. GILCHREST, Mr. MAVROULES, and Mrs. SCHROEDER.
H.R. 5250: Mr. HUGHES.
H.R. 5264: Mr. FRANK of Massachusetts and Mr. EVANS.
H.R. 5267: Mr. MOAKLEY, Mr. RANGEL, Mr. SOLARZ, Mr. STOKES, Mr. TORRES, Mrs. KENNELLY, Mr. MORAN, Mr. CLAY, Mr. ESPY, Mrs. SCHROEDER, Ms. NORTON, Mr. FLAKE, Mr. HALL of Ohio, Mr. FRANK of Massachusetts, Mr. HAYES of Illinois, Mr. MFUME, Mrs. COLLINS of Michigan, Mr. SANDERS, Mr. ABERCROMBIE, Mr. LEWIS of Georgia, Mr. SAVAGE, and Mr. PAYNE of New Jersey.
H.R. 5282: Mr. SENSENBRENNER.
H.R. 5290: Mr. OWENS of New York, Mr. HAYES of Illinois, Mr. FALEOMAVAEGA, and Mr. FISH.
H.R. 5294: Mr. PERKINS.
H.R. 5307: Mr. LEHMAN of Florida, Mr. LAUGHLIN, Mr. PICKETT, and Mr. LEWIS of Florida.
H.R. 5320: Mr. DEFALZO and Mr. NAGLE.
H.R. 5360: Ms. NORTON, Mr. FALEOMAVAEGA, Mr. FORD of Tennessee, Mr. CONYERS, Mr. FEIGHAN, and Mr. PAYNE of New Jersey.

H.R. 5401: Mrs. ROUKEMA.
H.J. Res. 1: Mr. JOHNSON of South Dakota, and Mrs. KENNELLY.
H.J. Res. 152: Mr. WEBER.
H.J. Res. 378: Mr. TRAXLER, Mr. CONYERS, and Mr. SLATTERY.
H.J. Res. 455: Mr. JACOBS, Mr. CRAMER, Mr. QUILLLEN, Mr. HYDE, Mr. HUBBARD, Mr. LEACH, Mr. McMILLEN of Maryland, Mr. MOAKLEY, Mr. MURPHY, Mr. NEAL of Massachusetts, Mr. PASTOR, Ms. OAKAR, Mr. HAYES of Illinois, and Mr. CHAPMAN.
H.J. Res. 459: Mr. ABERCROMBIE, Mr. ANDERSON, Mr. ANTHONY, Mr. ASPIN, Mr. ATKINS, Mr. BEILENSON, Mrs. BOXER, Mr. BROWDER, Mr. BUNNING, Mrs. BYRON, Mr. CHAPMAN, Mr. COOPER, Mr. DARDEN, Mr. DICKS, Mr. DIXON, Mr. DORGAN of North Dakota, Mr. DURBIN, Mr. DYMALLY, Mr. EDWARDS of Texas, Mr. EVANS, Mr. FAZIO, Mr. FEIGHAN, Mr. FRANK of Massachusetts, Mr. GIBBONS, Mr. HOAGLAND, Mr. HOYER, Mr. KANJORSKI, Ms. KAPTUR, Mr. KILDEE, Mr. KOSTMAYER, Mr. LANCASTER, Mr. LEWIS of Georgia, Mr. MILLER of California, Mrs. MINK, Mr. MOLLOHAN, Mr. NATCHER, Mr. OLIVER, Mr. ORTIZ, Mr. PANETTA, Mrs. PATTERSON, Mr. PETERSON of Florida, Mr. RAHALL, Mr. RICHARDSON, Mr. RIDGE, Mr. RITTER, Mr. RUSSO, Mr. SANGMEISTER, Mr. SHARP, Mr. STENHOLM, Mr. SWETT, Mr. SWIFT, Mr. SYNAR, Ms. WATERS, Mr. WILSON, and Mr. YATES.
H.J. Res. 468: Mr. HORTON, Mr. KANJORSKI, Mr. MONTGOMERY, Mr. VENTO, Mr. ESPY, Mr. REGULA, Mr. FROST, Mr. JONES of Georgia, Mr. CARDIN, Mr. TOWNS, Mr. FASCELL, Mr. TRAFICANT, Mr. MORRISON, Mr. EMERSON, Mr. DWYER of New Jersey, Mr. JEFFERSON, Mr. LEHMAN of Florida, Mr. ROBERTS, Mr. GOODLING, and Mr. BILIRAKIS.
H.J. Res. 483: Mr. LEHMAN of Florida, Mr. BATEMAN, and Mr. MCNULTY.
H.J. Res. 495: Mr. TRAXLER, Mr. DOWNEY, Mr. MARTINEZ, Mr. CHAPMAN, Mr. SANDERS, and Mr. HAMMERSCHMIDT.
H. Con. Res. 307: Mr. RAY and Mr. HEFLEY.
H. Con. Res. 316: Mr. MAVROULES, Mr. JEFFERSON, Mr. SUNDQUIST, Mr. JOHNSTON of Florida, Mr. STUDDS, Mr. SPRATT, Mr. PANETTA, Mr. STOKES, Mr. BLACKWELL, Mr. BROOMFIELD, Mr. ANDREWS of Maine, Mrs. BOXER, Mr. WYDEN, Mr. JONES of Georgia, and Mr. STAGGERS.
H. Con. Res. 326: Mrs. BENTLEY, Mr. ERDREICH, Mr. LIPINSKI, Mr. CHAPMAN, Mr. DURBIN, Ms. HORN, and Mr. EVANS.
H. Res. 415: Mr. BEVILL, Mr. BILIRAKIS, Mr. ATKINS, Mr. WEBER, Mr. RAVENEL, Mr. CRANE, Mr. ZELIFF, Mr. MARTINEZ, Mr. MACHTELEY, and Mr. MCCLOSKEY.
H. Res. 470: Mr. ECKART, Mr. PENNY, Mr. DELLUMS, Mr. RITTER, Mr. WOLF, Mr. TOWNS, Mr. MRAZEK, Mr. FOGLIETTA, Mr. SKAGGS, Mr. SPRATT, Mr. LIPINSKI, Mrs. LLOYD Ms. HORN, Mr. HUGHES, Mr. OBERSTAR, Mr. SISISKY, Mr. WILSON, Mr. LAFALCE, and Mr. ZELIFF.
H. Res. 472: Mr. LEACH, Mr. SHAYS, and Mr. PETRI.
H. Res. 478: Mrs. MEYERS of Kansas, Mr. HASTERT, Mr. PORTER, Mrs. BENTLEY, Mr. EWING, and Mr. LIVINGSTON.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 4996

By Mr. DYMALLY:

—Page 70, lines 4 and 5, strike "and in one country in Latin America" and insert "in

